



For Immediate Release

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BOLI Final Order: Portland spa violated worker's civil rights when it retaliated against whistleblower
Hey Beautiful and owner Schoene must compensate employee for damages, lost pay

PORTLAND, OR—A Northwest Portland salon and spa must pay \$10,000 in damages stemming from retaliation against a worker who reported wage violations, the Bureau of Labor and Industries (BOLI) announced today.

The agency had previously found in a May 2014 ruling that the business, Hey Beautiful Enterprises, had failed to pay four employees more than \$21,000. The earlier order has been referred to the Oregon Department of Revenue for collections.

A separate civil rights investigation found that spa owner Kimberly Schoene unlawfully retaliated against a worker when she fired the employee for inquiring about filing a wage claim. Under Oregon law, employers may not punish workers for complaining about not being paid.

Under the BOLI Final Order issued this month in the civil rights case, both Hey Beautiful Enterprises and owner Kimberly Schoene are liable for damages. The agency also awarded the worker \$644 for lost wages and tips.

During the contested case hearing, the administrative law judge found Schoene's testimony "disingenuous and self-serving." For example, Schoene testified that she didn't maintain payroll "specifically because I didn't want anybody to think that I would ever cheat them."

After the complainant told Hey Beautiful that she was in contact with BOLI, owner Schoene replied by saying "I guess she quit. I guess she made her decision." The order found that the employee had no intention of quitting and clearly wanted to continue working for Hey Beautiful.

Kimberly Schoene and Hey Beautiful Enterprises LTD. have 60 days from the Final Order served on July 21st to file an appeal with the Court of Appeals.

Any employee who believes that he or she is being denied wages may contact BOLI's Wage and Hour Division at (971) 673-0844 or Civil Rights Division at (971) 673-0764 for whistleblower protection.

BOLI's Technical Assistance for Employers program can also help businesses understand Oregon civil rights and wage and hour law so that employers can avoid potential violations in the first place.

A copy of the Hey Beautiful Enterprises ruling (#41-15) Final Order is available online at [the agency's website](#).

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