

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 249

BY STATE AFFAIRS COMMITTEE

AN ACT

1  
2 RELATING TO WAGE CLAIMS; AMENDING SECTION 45-614, IDAHO CODE, TO REVISE  
3 PROVISIONS REGARDING LIMITATIONS ON ACTIONS FOR COLLECTION OF UNPAID  
4 WAGES, PENALTIES AND DAMAGES; AND AMENDING SECTION 45-615, IDAHO CODE,  
5 TO REVISE THE AMOUNT OF DAMAGES FOR UNPAID WAGES DUE AND OWING THAT MAY  
6 BE RECOVERED AND TO MAKE A TECHNICAL CORRECTION.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 45-614, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 45-614. COLLECTION OF WAGES -- LIMITATIONS. Any person shall have the  
11 right to collect any unpaid wages, penalties and liquidated damages provided  
12 by any law or pursuant to a contract of employment, but any action thereon  
13 shall be filed either with the department or commenced in a court of compe-  
14 tent jurisdiction within two (2) years after the cause of action accrued,  
15 ~~provided, however, that in the event salary or wages have been paid to any~~  
16 ~~employee and such employee claims additional salary, wages, penalties or~~  
17 ~~liquidated damages, because of work done or services performed during his~~  
18 ~~employment for the pay period covered by said payment, any action therefor~~  
19 ~~shall be commenced within six (6) months from the accrual of the cause of~~  
20 ~~action. It is further provided that if any such cause of action has accrued~~  
21 ~~prior to the effective date of this act, and is not barred by existing law,~~  
22 ~~action thereon may be commenced within six (6) months from the effective date~~  
23 ~~of this act.~~ In the event an action is not commenced as herein provided, any  
24 remedy on the cause of action shall be forever barred.

25 SECTION 2. That Section 45-615, Idaho Code, be, and the same is hereby  
26 amended to read as follows:

27 45-615. COLLECTION OF WAGE CLAIMS BY SUIT -- ATTORNEY'S FEES AND  
28 COSTS. (1) As an alternative to filing a wage claim with the department, any  
29 person may assert a wage claim arising under this chapter in any court of  
30 competent jurisdiction or pursue any other remedy provided by law.

31 (2) Any judgment rendered by a court of competent jurisdiction for the  
32 plaintiff in a suit filed pursuant to this section may include all costs and  
33 attorney's fees reasonably incurred in connection with the proceedings and  
34 the plaintiff shall be entitled to recover from the defendant either the un-  
35 paid wages plus the penalties provided for in section 45-607, Idaho Code, ~~+~~ or  
36 damages in the amount of ~~three~~ two (2) times the unpaid wages found due and  
37 owing, whichever is greater.