RCW 49.48.040 Enforcement of wage claims—Issuance of subpoenas—Compliance. (1) The department of labor and industries may:

(a) Upon obtaining information indicating an employer may be committing a violation under this chapter and chapters 39.12 and 49.46 RCW and associated rules, conduct investigations to ensure compliance with this chapter and chapters 39.12 and 49.46 RCW and associated rules;

(b) Order the payment of all amounts owed the workers under this chapter and chapters 39.12 and 49.46 RCW, and associated rules and institute actions necessary for the collection of the amounts determined owed; and

(c) Take assignments of claims under this chapter and chapters 39.12 and 49.46 RCW, and associated rules and prosecute actions for the collection of amounts owed of persons who are financially unable to employ counsel when in the judgment of the director of the department the claims are valid and enforceable in the courts.

(2) When the department orders the payment of all amounts owed under subsection (1)(b) of this section in an administrative order, including interest of one percent per month on all wages owed, the department may also assess penalties under RCW 49.48.083(3). The amounts and interest owed must be calculated from the first date amounts were owed to the employee, except that the department may not order the employer to pay any amounts and interest that were owed more than three years before the date the department obtained information indicating an employer may have committed violations under this chapter and chapters 39.12 and 49.46 RCW or associated rules. Appeals to administrative orders issued under this section are conducted pursuant to RCW 49.48.084. Collections of the administrative orders issued under this section are conducted pursuant to RCW 49.48.086.

(3) The director of the department or any authorized representative may, for the purpose of carrying out RCW 49.48.040 through 49.48.080: (a) Issue subpoenas to compel the attendance of witnesses or parties and the production of books, papers, or records; (b) administer oaths and examine witnesses under oath; (c) take the verification of proof of instruments of writing; and (d) take depositions and affidavits. If assignments for wage claims are taken, court costs shall not be payable by the department for prosecuting such suits.

(4) The director shall have a seal inscribed "Department of Labor and Industries—State of Washington" and all courts shall take judicial notice of such seal. Obedience to subpoenas issued by the director or authorized representative shall be enforced by the courts in any county.

(5) The director or authorized representative shall have free access to all places and works of labor. Any employer or any agent or employee of such employer who refuses the director or authorized representative admission therein, or who, when requested by the director or authorized representative, willfully neglects or refuses to furnish the director or authorized representative any statistics or information pertaining to his or her lawful duties, which statistics or information may be in his or her possession or under the control of the employer or agent, shall be guilty of a misdemeanor. [2026 c 176 s 1; 1987 c 172 s 1; 1935 c 96 s 1; RRS s 7596-1.]