

## HOUSE BILL NO. HB0131

Wage claim assignment and investigations.

Sponsored by: Select Committee on Coal/Mineral Bankruptcies

A BILL

for

1 AN ACT relating to labor and employment; authorizing the  
2 department of workforce services to accept assignment of  
3 wage claims; authorizing the department to bring legal  
4 action regarding assigned wage claims; authorizing the  
5 department to investigate certain activities to aid  
6 enforcement of laws related to wages; and providing for an  
7 effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 27-4-509 is created to read:

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13 **27-4-509. Assignment of wage claims.**

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15 Following a determination of a valid claim under W.S.

16 27-4-504(a), upon the written request of the employee the

1 department may take assignment of the wage claim in trust  
2 for the employee and may bring any legal action necessary  
3 to collect the claim. The employer shall be required to pay  
4 the costs and reasonable attorney's fees as may be allowed  
5 by the court. The department shall have the power to join  
6 claimants against the same employer in one (1) action for  
7 purposes of this section.

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9 **Section 2.** W.S. 27-4-501(a)(v) and 27-4-504 by  
10 creating a new subsection (e) are amended to read:

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12 **27-4-501. Definitions.**

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14 (a) Whenever used in this act:

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16 (v) "This act" means W.S. 27-4-501 through  
17 ~~27-4-508~~ 27-4-509.

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19 **27-4-504. Investigation and determination of unpaid**  
20 **wage claims; hearing; orders; collection of unpaid wages.**

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22 (e) If an employer in this state has filed an action  
23 in bankruptcy, the department may investigate and gather

1 data regarding the wages, hours and other conditions and  
2 practices of employment of the employer. For purposes of an  
3 investigation under this subsection, the department may  
4 enter and inspect places and records, question employees  
5 and investigate any facts, conditions, practices or matters  
6 that the department deems necessary or appropriate to  
7 determine whether any employer or other person has violated  
8 any provision of this act or to aid in the enforcement of  
9 the provisions of this act. Information collected and the  
10 results of an investigation under this section shall not be  
11 a public record under the Wyoming Public Records Act, W.S.  
12 16-4-201 through 16-4-205.

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14       **Section 3.** This act is effective immediately upon  
15 completion of all acts necessary for a bill to become law  
16 as provided by Article 4, Section 8 of the Wyoming  
17 Constitution.

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(END)