

**RCW 49.46.090 Payment of amounts less than chapter requirements**

~~—Employer's liability—Assignment of claim.~~ (1) Any employer who pays any employee less than the amounts to which such employee is entitled under or by virtue of this chapter, shall be liable to such employee affected for the full amount due to such employee under this chapter, less any amount actually paid to such employee by the employer, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer allowing the employee to receive less than what is due under this chapter shall be no defense to such action.

(2) At the written request of any employee paid less than the amounts to which he or she is entitled under or by virtue of this chapter, the director may take an assignment under this chapter or as provided in RCW 49.48.040 of such claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court. [2017 c 2 s 7 (Initiative Measure No. 1433, approved November 8, 2016); 2010 c 8 s 12043; 1959 c 294 s 9.]

**Intent—Effective date—2017 c 2 (Initiative Measure No. 1433):**

See notes following RCW 49.46.005.