Investigating Wage Theft:
A Survey of the States

A Report From

Policy Matters Ohio

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Policy Matters Ohio, the publisher of this study, is a nonprofit, nonpartisan policy institute dedicated to researching an economy that works for Ohio. Policy Matters seeks to broaden debate about economic policy by doing research on issues that matter to working people and their families. With better information, we can achieve more just and efficient economic policy. Areas of inquiry for Policy Matters include work, wages, education, housing, energy, tax and budget policy, and economic development.

Executive Summary

Most states have laws requiring that workers are paid the wages they earn and that they are paid a minimum wage, as well as overtime for hours worked beyond a specific amount. They also protect against exploitation of child labor. Policy Matters Ohio conducted a nationwide survey of state enforcement of these laws during the summer and early fall of 2010. We asked state agencies how many investigators they had for enforcement of minimum wage, wage payment, overtime and child labor laws. Altogether, 43 states and the District of Columbia provided some answers to our survey.

The total number of investigators enforcing state minimum-wage and related laws – 659.5, including many who spend time on other issues – is very modest compared to the almost 100 million private-sector employees in the jurisdictions that provided answers to the survey. That works out to more than 146,000 workers for each investigator, though that is a rough gauge since not all workers are covered by state laws and some states leave much or all enforcement of minimum-wage laws to the U. S. Department of Labor.

The level of enforcement effort, as measured by investigators employed, varies dramatically from state to state. While a handful of larger states such as California and New York employ dozens of investigators, most states have fewer than 10. Though it's not universal, a number of states are seeing cutbacks. Most state departments enforcing such legislation also are charged with overseeing other laws as well, and a significant share of their investigators' efforts go toward other responsibilities.

Adequate enforcement not only increases compliance with labor law, it improves worker well being, and levels the playing field so some employers do not have an illegal, unfair advantage over others. When wage law is not enforced, workers may not be paid for all of their hours, tax revenue is not collected on the unpaid wages, families are deprived of earnings, and communities can suffer.

This survey did not attempt to assess the techniques used to enforce state wage and hour laws, which obviously vary from state to state. While we made every attempt to gather consistent, accurate information, states have different laws and different systems for enforcing them, making comparisons difficult.

Investigating Wage Theft: A Survey of the States

Recent reports have noted that across the country, enforcement of labor law has been grossly inadequate.[1] This results in workers not being paid the minimum wage, not being paid for overtime hours they work, and other violations of basic worker protections. The Obama Administration has stepped up enforcement efforts with the hiring of new investigators for the U.S. Department of Labor's Wage & Hour Division.[2] But even with recent increases in federal enforcement efforts, the number of U.S. investigators has not kept up with the size of the workforce.[3]

States also have their own wage and hour protections. Most states have laws that require that workers are paid the wages they earn and that they are paid a minimum wage, as well as overtime for hours worked beyond a specific amount. They also protect against exploitation of child labor. These laws often mirror the federal law, but may go beyond them or extend coverage to some workers that federal laws do not cover.

State wage and hour enforcement is an important element of worker protection. The employees most likely to suffer from wage theft are our poorest and most vulnerable workers, who struggle to meet their basic needs. Employers, too, benefit from such enforcement, since it levels the playing field and keeps those employers who do not follow the law and pay the full wages due their employees from gaining an advantage over those who do. Tax revenue is not collected on wages that are not paid. Theft of workers' wages is just that – theft – and just as with laws against property theft, laws against wage theft should be enforced.

Policy Matters Ohio conducted a nationwide survey of state wage and hour enforcement during the summer and early fall of 2010. We asked state agencies how many investigators they had for enforcement of minimum wage, wage payment, overtime and child labor laws.[4] While we made every attempt to gather consistent, accurate information, states have

[1] See for instance U.S. Government Accountability Office, Testimony before the Committee on Education and Labor, House of Representatives, *Department of Labor Wage and Hour Division's Complaint Intake and Investigative Processes Leave Low Wage Workers Vulnerable to Wage Theft*, March 25, 2009, and Annette Bernhardt, et. al., *Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities*, 2009, available at http://nelp.3cdn.net/1797b93dd1ccdf9e7d_sdm6bc50n.pdf .

[2] The administration hired 250 new investigators, boosting the number by more than one third. See Statement of U.S. Secretary of Labor Hilda L. Solis on Wage and Hour Division's Increased Enforcement and Outreach Efforts, WHD News Release, 11/19/2001, available at http://www.dol.gov/opa/media/press/whd/whd20091452.htm

[3] Bernhardt, Annette and Siobhan McGrath, *Trends in Wage and Hour Enforcement by the U.S. Department of Labor, 1975-2004*, Economic Policy Brief No. 3, Brennan Center for Justice, September 2005, available at http://www.brennancenter.org/page/-/d/download_file_35553.pdf

[4] This paper will refer to "minimum wage" to cover all four of these except where specifically noted.

different laws and different systems for enforcing them, making comparisons difficult. Thus, such comparisons between states should be viewed with caution.

Altogether, 43 states and the District of Columbia provided some answers to our survey.[5] They reported a total of 659.5 investigators responsible for enforcement of wage and hour laws, as well as other statutes, depending on the state. These states had nearly 96.9 million nonfarm private-sector workers in 2009, accounting for 89.7 percent of the U.S. employed private-sector workforce.[6] As a very rough gauge, that represents one wage and hour investigator for each 146,000 such workers.[7] Not all workers are covered by state laws and some states leave much or all enforcement of minimum-wage laws to the U. S. Department of Labor. Florida, for instance, does not have state staff enforcing its $7.25 an hour minimum wage.[8] Indiana has one wage-claim investigator; that state's law, like some others, explicitly only covers those workers who are not covered by the federal law.[9] The state law also exempts some workers, such as farmworkers, so it covers only a small share of the workforce.

The telephone survey attempted to learn how many investigators were devoted to minimum wage, wage payment, overtime and child labor laws. However, most state departments enforcing such legislation also are charged with overseeing other laws as well, and their investigators are cross-trained to do that work. Thus, a significant share of the work by the 659½ positions goes toward other responsibilities.

Most commonly, such investigators also look into possible violations of prevailing wage laws that require specific levels of compensation for construction of public works. In all, 21 of the

[5] We did not obtain answers from Alabama, Delaware, Georgia, Louisiana, Mississippi, South Carolina and Tennessee. Besides Delaware and Georgia, none of these states has a minimum-wage law. Georgia's minimum is $5.15. These states may have other laws, however, that provide some type of wage protection (e.g. Tennessee has a law requiring employers to pay wages they have promised. See U.S. Department of Labor, Wage & Hour Division, Minimum Wage Laws in the States, July 1, 2010, at http://www.dol.gov/whd/minwage/america.htm).

[6] Farm workers are not included because reliable data for all states are not available that break out the number of farm workers, according to the Bureau of Labor Statistics. According to a different U.S. survey, however, there are more than a million wage or salaried farmworkers in the country.

[7] Government workers are excluded because in some states they are not covered by the wage and hour laws, though many do.

[8] The Florida Department of Business and Professional Regulation has six investigators who enforce the state's child labor law (conversation with Ed McIlvaine, Program Lead, Child Labor Program, Oct. 5, 2010). The department also has 16 investigators who enforce Florida's farm labor registration act, whose requirements include that workers be paid on a timely basis, that wage statements be provided and payroll records be maintained. See http://www.myfloridalicense.com/dbpr/reg/farmLabor.html. Two of these 16 also enforce the child labor law.

[9] Interview with Rick Ruble, Deputy Commissioner and General Counsel, Indiana Department of Labor, Sept. 7, 2010. The state has three child labor investigators, one wage claim investigator and two common (prevailing) wage auditors. Two of the child labor investigators also are trained in wage and hour law.

43 jurisdictions answering the survey also include prevailing wage in their enforcement efforts. Usually, investigators are cross-trained so that they handle prevailing wage, minimum wage and other responsibilities. This is true of the 18 investigators in Michigan, the 9 in Arkansas, the 7 in Missouri and the 12 in West Virginia, for instance.

In a minority of the 21 states, investigators are responsible for prevailing wage enforcement or minimum-wage and related enforcement, but not both. For instance, Maryland has five investigators for its wage and hour law, three investigators who deal with the prevailing wage, and one for its state living-wage law. A separate workplace fraud unit in Maryland with three investigators and two field auditors covers misclassification of independent contractors. Fourteen of New Jersey's 45 investigators are devoted to prevailing wage enforcement; in Montana, there are four wage and hour investigators and one compliance technician, along with three prevailing-wage investigators and one statistician. Texas has 25 investigators enforcing its payday law, and seven who work only on child labor.[10]

State labor departments, which are usually the ones entrusted to enforce wage and hour legislation, often have other responsibilities that go well beyond wage and child labor laws. The Bureau of Labor Law Compliance of Pennsylvania's Department of Labor & Industry takes calls on hits to underground utility lines. States may enforce laws on lie detector tests, family leave, workers' compensation, work permits and a bevy of other subjects.

The differing sets of responsibilities, and cross-training, make it is impossible to produce a pure figure for how many state investigators around the country are dedicated specifically to enforcing the state minimum wage, wage payment, child labor and overtime laws. It is clear, though, that the number is well below the total of 659.5 cited above. Even adding in the 171 staffers employed by California to speed the handling of wage claims through a hearing process (see below), the states' collective investigative staff does not quite match that of the U.S. Department of Labor's Wage & Hour Division. After a recent boost, that division has about 900 investigators (it, too, has other laws to enforce besides the Fair Labor Standards Act).[11]

There is a significant disparity in state support of minimum-wage enforcement and related laws, as measured by the number of investigators. As one might expect, the largest states also

[10] Texas's minimum-wage law is enforced through the court system.
[11] According to an ongoing research project by Janice Fine and Brian Burgoon called "State-based Labor Standards Enforcement: the Missing Dimension," the seven states that did not respond to Policy Matters Ohio's survey had a total of 21 wage and hour investigators as of September 2009. Thus, the total number of state investigators falls short of the number employed by the U.S. Department of Labor.

tend to have the largest numbers of investigators. Small states dominate the ranks of those with the fewest workers for each investigator. However, New York State has a relatively larger number than all but a handful of others, even accounting for the size of its workforce – and that includes only its Division of Labor Standards, which enforces a broader array of laws than most (these range from registration of professional employer organizations to a working in a task force to rid the garment-manufacturing industry of illegal sweatshops). Unlike many others, which include prevailing wage enforcement with minimum-wage and other labor laws, New York has a Bureau of Public Work with 57 investigators enforcing its prevailing wage laws. This is separate from its Division of Labor Standards, with 95 investigators.

Twenty six states have fewer than 10 investigators. Three states – Iowa, South Dakota and Vermont – have just one. Arizona has just three, plus a supervisor. With the glaring exception of Florida, the largest states lead the list of those with most investigators. Besides Florida among the biggest states, and those that have state minimum-wage levels set higher than the $7.25 federal minimum, Ohio stands out with the fewest investigators, at just nine (The state is in the process of filling five vacancies, which would take the number up to 14).[12] The number of Ohio investigators, who handle minimum-wage, prevailing wage and child labor complaints, has dwindled from 17 in 1999. Ohio state funding for wage and hour enforcement was cut 23 percent between Fiscal Year 2009 and FY2010, which ended June 30.

Ohio is not alone. Maryland is expecting to cut two of its five wage and hour investigators after funding cuts effective next July. Wisconsin, which had 12 investigators, lost three to retirement and three to transfer, and has filled just one for budgetary reasons, leaving a total of seven, according to Timara Budack, Labor Standards section chief. In Hawaii, funding for the Wage Standards Division has been reduced from about $1.1 million in Fiscal Year 2009 to about $1 million in FY 2010 and a projected $948,000 in FY2011, depending on the economy. California labor standards personnel are furloughed three Fridays a month. Seven of the 18 total positions in the Labor Department of Industrial Commission of Arizona have

[12] Conversation with Gary Schaeffer, Superintendent, Ohio Department of Commerce, Division of Industrial Compliance and Labor, Oct. 13, 2010. Illinois has 13 compliance officers – and one vacancy being filled – who handle wage and hour and wage payment enforcement. Conversation with Tammy Miner, Compliance Manager, Fair Labor Standards Division, Illinois Department of Labor, Oct. 19, 2010.While these Illinois investigators enforce a broader array of laws than Ohio, a separate unit in Illinois handles prevailing-wage issues.

been left vacant because of state budget cuts. Such effective cutbacks are not universal; Montana, for instance, has maintained its effort (the state has increased from one to three the number of prevailing-wage investigators, who occasionally do wage and hour work), and the number of investigators has been steady in New York. But clearly, budget problems are having an impact on wage and hour enforcement staffing.

Fourteen states and the District of Columbia currently have minimum wage levels set above the U.S. minimum of $7.25 an hour. These range from $7.30 an hour in Ohio to $8.55 in Washington state. While these states taken together have a somewhat higher number of investigators than others that answered the survey, it is not dramatically greater. Apart from Connecticut, which has 29 investigators and a minimum wage of $8.25 an hour, states with a minimum wage higher than the federal $7.25 an hour do not lead the pack in investigators relative to private-sector employment.[13]

As the largest state, California is worthy of special note. The Division of Labor Standards Enforcement (DLSE) of the Department of Industrial Relations is responsible for enforcing wage and hour laws in California, along with licensing or registering a variety of employers, investigating prevailing-wage and retaliation complaints, and enforcing other labor code statutes. DLSE had 395 filled positions as of July 1, 2010.[14] The largest number of these – 171 in all – work in the Wage Claim Adjudication unit. This unit aims to informally resolve most complaints and conducts hearings, generally covering claims by individual workers. Known as "Berman hearings" after their originator, this process takes care of a substantial number of cases. According to DLSE, in calendar year 2009 the wage claim unit opened 42,205 new cases, held 25,609 settlement conferences, conducted 9,358 hearings and found wages due of $63,004,723.[15]

As its name implies, the DLSE Bureau of Field Enforcement (BOFE) does field investigations. As of July 1, it had 112 investigators in all, handling not only child labor, minimum wage, unpaid wage and overtime cases but also prevailing wage, workers' compensation, confiscation of illegally manufactured garments, and lack of itemized wage statements, among others. Workers' compensation accounts for a sizeable share of the enforcement effort. Twenty-three of the 112 were devoted to prevailing wage as of July 1. Another 14 were in a special unit called the Economic Employment Enforcement Coalition that

[13] Connecticut's 29 investigators include 10 wage and hour, 11 wage enforcement, 5 prevailing wage, and 3 for child labor.
[14] Email from Char Grafil, Special Assistant to the Labor Commissioner, Sept. 13, 2010
[15] Email from Char Grafil, Special Assistant to the Labor Commissioner, Sept. 13, 2010

collaborates with other state and federal agencies for targeted enforcement against unscrupulous businesses operating in the underground economy.[16]

Despite the seemingly large numbers, the size of the enforcement effort in California – measured by the number of key personnel -- has lagged far behind the growth in the state's workforce. *The Los Angeles Times* reported recently that, "According to the California Department of Industrial Relations, the number of wage and hour inspectors rose about 7% since 1980 while the state population grew 62%."[17] Mark Schacht, deputy director of the California Rural Legal Assistance Foundation, said, "They still don't have the staff to do the kind of investigations and follow up and aggressive enforcement that would really attack the root of the underground economy." DLSE issued only 201 civil citations in the state's agriculture industry last year, he noted, which has 70,000 employers and close to half a million full-time jobs.

Though the Policy Matters Ohio survey did not specifically question states on efforts to crack down on misclassification – incorrectly claiming that employees are independent contractors, thereby avoiding taxes, workers' compensation and unemployment compensation – several states have started up or expanded such efforts. As noted, Maryland has a 10-person workplace fraud unit, including three investigators and two field auditors, focused first on state contracts. One of Oregon's 15 investigators is devoted to misclassification, as are five in New Jersey.

Conclusion

The total number of investigators enforcing state minimum-wage and related laws – 659.5, including the many who spend time on other issues – is very modest compared to the almost 100 million private-sector employees in the 44 jurisdictions that provided answers to the survey. The level of enforcement effort, as measured by investigators employed, varies dramatically from state to state. While a handful of larger states such as California and New York employ dozens of investigators, most states have fewer than 10. Though it's not universal, a number of states are seeing cutbacks. This survey did not attempt to gauge the techniques used to enforce state wage and hour laws, which obviously vary from state to state.

[16] Separate from the BOFE, the DLSE also has a unit of 20 employees that handles cases of alleged retaliation for violations of the state's labor laws, a legal unit of 35 that files impact litigation and defends indigent workers who have had wage orders appealed in court, a licensing and registration unit with 25 employees and other, smaller operations. These units make it difficult to compare California's effort to those in smaller states.

[17] Lifsher, Marc and Alana Semuels, "Harsher penalities suggested for employers who shortchange workers in California," *The Los Angeles Times*, Sept. 16, 2010. Received from Mark Schacht, Sept. 22, 2010

NOTE ON THE DATA

In a telephone survey supplemented by emails, Policy Matters Ohio asked the states what was included in wage and hour enforcement, in addition to the minimum wage. We asked how many total employees worked enforcing wage and hour laws and more specifically, how many investigators were employed. We asked whether investigators were trained to handle enforcement of one law or if they were cross-trained to handle all enforcement. Based on the responses, Table 1 includes data on whether the prevailing wage is covered by wage and hour investigators, and whether investigators are earmarked for specific purposes. We have provided additional explanation where we learned more about the make-up of a particular state's effort. Information from these responses (including automated recordings) is included in Table 2, along with some information from state web sites. While this list may not be comprehensive, it indicates the variety of labor standards and laws being enforced. We also asked how much was spent on wage and hour enforcement, but only a handful of states answered. Supervisors have generally not been included in the number of investigators, and numbers indicate current staff levels.

The column titled Number of Investigators in Table 1 includes all of those included in the units that enforce wage and hour laws, though that sometimes includes investigators specifically devoted to prevailing-wage or other assignments not related to the minimum wage, wage payment, overtime or child labor. For instance, 14 of New Jersey's investigators are assigned to prevailing-wage enforcement, as are 23 of California's, but they are included in the overall number of investigators. Only in states like New York where such investigators are assigned to a different unit altogether are these personnel not included. In those states that a clear number of investigators only for minimum wage, wage payment, overtime and child labor is available, the column titled Minimum Wage Investigators lists that number.

Table 1

State	Number of full-time equivalent employees	Number of Investigators	Minimum wage investigators*	Is prevailing wage included?	Do you earmark investigators for specific purposes?	Added explanation, if any	State Minimum Wage**
Alabama	NA	NA					N/A
Alaska	5	3	1	yes	One investigator covers Title 23, which includes minimum wage, overtime and wage payment but also workers' comp and a variety of other areas	2 other investigators cover Title 36, which covers public contracts, but are in training also to cover Title 23	$7.75
Arizona	11	3	3	no	No; they are cross-trained to handle any complaints	3 investigators, 1 supervisor only work on wage/hour issues	$7.25
Arkansas	14	9		yes	No; they are cross-trained to handle any complaints		$6.25
California	395	112		yes	The Bureau of Field Enforcement also investigates workers' compensation cases and others.	The 112 investigators include 23 who handle prevailing wage cases. California separately has 171 employees in its Wage Claim Adjudication Unit, who attempt to resolve wage claims through a hearings process. See text.	$8.00
Colorado	11	8		no	No; they are trained to handle any complaints		$7.24
Connecticut	39	29	24	yes	Yes; 10 wage and hour, 11 wage enforcement, 4 child labor and 5 prevailing wage		$8.25
Delaware	NA	NA					$7.25
District of Columbia	5	4		no	No; they are trained to handle any complaints		$8.25
Florida	9	6		no	The State of Florida does not enforce its minimum wage. These staff are in the state's child labor program. Florida also has 16 investigators who enforce its farm labor registration law.	Two of the 16 also handle child labor cases	$7.25
Georgia	NA	NA					$5.15
Hawaii	17	5		yes	Investigators are trained to handle all 6 laws enforced. Separately, 2 hearings officers handle Chapter 378, HRS, Part III (Unlawful Suspension, Discharge, or Discrimination due to Work Injury or Drug Testing)		$7.25
Idaho	5	5		no	No; they are cross-trained to handle any complaints		$7.25
Illinois	22	13		no	No; they are cross-trained to handle any complaints	9 wage and hour compliance officers and one vacancy being filled; 4 for wage payment; prevailing wage handled by a separate division	$8.25
Indiana	11	6	4	no	1 wage-claim investigator; 3 child-labor investigators, 2 of whom are trained in wage and hour law, and one vacancy to be filled; no. of total investigators includes 2 prevailing wage auditors		$7.25
Iowa	0	1		no	1 investigator		$7.25
Kansas	6	4		no	No; they are cross-trained to handle any complaints		$7.25
Kentucky	29	18		yes	No; they are cross-trained to handle any complaints		$7.25
Louisiana	NA	NA					N/A
Maine	7	6		no	4 in field investigators and 2 supervisors who also carry a case load	1 person is separate from the wage and hour department and dedicated to prevailing wage issues	$7.50
Maryland	23	12	5	yes	5 investigators for wage payment; 3 for prevailing wage; 1 for living wage; 3 in workplace fraud unit	No. of total investigators excludes 2 field auditors in workplace fraud unit and supervisors	$7.25
Massachusetts	-	19		yes	Yes; 13 work on nonpayment of wage cases; 1 on both prevailing wage and nonpayment of wages; 3 primarily on prevailing wage and 2 only on prevailing wage		$8.00
Michigan	30	18		yes	No; they are cross-trained to handle any complaints		$7.40
Minnesota	11	8.5		yes	No; they are cross-trained to handle any complaints	A half-time outreach person does some investigations	6.15/5.25
Mississippi	NA	NA					N/A
Missouri	13	7		yes	No; they are cross-trained to handle any complaints		$7.25
Montana	16	9	5	yes	4 work only with prevailing wage	5 includes one compliance technician	7.25/4.00
Nebraska	9	7		no	No; they are cross-trained to handle any complaints		$7.25
Nevada	14	6		yes	No; they are cross-trained to handle any complaints		$8.25/$7.25
New Hampshire	25	11		no	No; they are cross-trained to handle any complaints		$7.25
New Jersey	67	45	31	yes	Yes; 14 prevailing wage; 26 general enforcement; 5 misclassification		$7.25
New Mexico	-	8		yes	No, the 7 are cross-trained to handle complaints	7 wage & hour, one child labor enforcement specialist	$7.50
New York	146	95		no	No, they are cross-trained to handle all laws under their jurisdiction; separately, there are 57 investigators and 92 total employees for the Bureau of Public Work, which enforces the prevailing wage		$7.25
North Carolina	31	19		no	No; they are cross-trained to handle any complaints		$7.25
North Dakota	12	7		no	No; they are cross-trained to handle any complaints		$7.25
Ohio	13	9		yes	No; they are cross-trained to handle any complaints		7.30/7.25
Oklahoma	-	12	7	no	1 child labor; 6 wage and hour; 5 workers' comp in separate units in Employment Standards Division		7.25/2.00
Oregon	33.5	15	10	yes	yes; 9 wage and hour, 1 misclassification, 5 prevailing wage		$8.40
Pennsylvania	44	31		yes	No; they are cross-trained to handle any complaints	One vacant inspector position	$7.25
Rhode Island	4	2		no	No; they are cross-trained to handle any complaints		$7.40
South Carolina	NA	NA					N/A
South Dakota	7	1		no	1 investigator		$7.25

Table 1

State	Number of full-time equivalent employees	Number of Investigators	Minimum wage investigators*	Is prevailing wage included?	Do you earmark investigators for specific purposes?	Added explanation, if any	State Minimum Wage**
Tennessee	NA	NA					N/A
Texas	43	32		no	25 payday law, 7 child labor law; investigators are trained specifically to handle one law		$7.25
Utah	8	3		no	No; they are cross-trained to handle any complaints		$7.25
Vermont	2	1		no	1 investigator		$8.06
Virginia	12	6		no	No; they are cross-trained to handle all complaints		$7.25
Washington	-	19		yes	No; they are cross-trained to handle all complaints		$8.55
West Virginia	17	12		yes	No; they are cross-trained to handle all complaints		$7.25
Wisconsin	8	7		no	No; they are cross-trained to handle all complaints	A separate unit with 3 investigators handles prevailing wage	$7.25
Wyoming	-	6		yes	No; they are cross-trained to handle all complaints		$5.15

*-Includes data where a clear number of investigators only for minimum wage, wage payment, overtime and child labor is available.

**-Information on state minimum wages from U.S. Departjment of Labor Wage & Hour Division, "Minimum Wage Laws in the States - July 1, 2010," available at www.dol.gov/whd/minwage/america.htm. Explanation of states with more than a single minimum available there.

Table 2

State	Responsibilities of labor standards enforcement agency
Alabama	NA
Alaska	Minimum wage, child labor, work hours, overtime, employment agreements, return transportation, holiday pay, sick leave, vacation pay, on call time, paycheck deductions, information on pay stubs, prevailing wage, wage claims
Arizona	Child labor laws, payment of wage laws, license employment agencies
Arkansas	Minimum wage, overtime, child labor laws, prevailing wage, wage claims
California	Minimum wage, nonpayment of wages, overtime, vacation pay, cash pay, discriminatory retaliation under the Labor Code, workers' compensation coverage, child labor, unlicensed contractors, Industrial Welfare Commission orders, prevailing wage, "underground economy," licensing and registration in a number of industries
Colorado	Minimum wage, overtime, payment of wages, bounced checks, employment verification law complaints, public contracts for services immigration complaints
Connecticut	Minimum wage, prevailing wage, overtime, child labor, working conditions, Chapter 558 (employment) & 557 (wage), family medical leave, personnel files, meal/break periods, drug testing, insurance cancellation, polygraph testing, workplace smoking, licensing of employment agencies.
District of Columbia	Minimum wage, overtime, living wage act, garnishment law
Delaware	NA
Florida	child labor; farm labor registration act, including timely pay, provision of wage statements and keeping of payroll records
Georgia	NA
Hawaii	Minimum wage, wage payments, child labor, family leave, prevailing wage, employment practices, lie detector tests, unlawful suspension, discharge or discrimination due to work injury or drug testing
Idaho	Minimum wage, reduction of wages, penalties, overtime, child labor laws, record keeping, wage payment law, farm labor contractor license
Illinois	Minimum wage, overtime, one day rest in seven, child labor laws, day/temp labor agencies, wage payment and collection act, street trades law, school visitation rights act, farm labor, contractor certification act, industrial homework law
Indiana	Unpaid wages, minimum wage, wage and hour, child labor, common (prevailing) wage
Iowa	Minimum wage, vacation pay, unauthorized deductions, unpaid wages, unpaid expenses
Kansas	Minimum wage, wage payment act, child labor laws
Kentucky	Minimum wage, overtime, child labor laws, rest/lunch periods, vacation pay, prevailing wage, equal opportunity, apprenticeships, tipped employees, payment/final payment of wage requirement
Louisiana	NA
Maine	Minimum wage, hours of employment, payment of wages, forestry and farming employment standards, prevailing wage, overtime, drug testing, child labor laws, female labor laws, handicapped employment, sexual harassment, reserve training/military leave, employee protection, family/medical leave act, fair employment practice act, foreign worker certification
Maryland	Wage payment, child labor, prevailing wage, minimum wage, overtime, living wage for state service contracts
Massachusetts	Nonpayment of wages, minimum wage, overtime, child labor laws, prevailing wage, public bidding, small necessities leave, tip pooling, vacation pay, meal breaks, Sunday premium pay
Michigan	Minimum wage, payment of wages and fringe benefits act, youth employment standards act, prevailing wage
Minnesota	Minimum wage, overtime, child labor laws, parental leave laws, personnel record laws, final pay laws, written termination requirements, prevailing wage
Mississippi	NA
Missouri	Minimum wage, overtime, prevailing wage, child labor laws
Montana	Child labor laws, prevailing wage, minimum wage, overtime, vacation pay, wage payment, military service employment rights, mediation assistance and interest based bargaining training to public employers and public employee labor organizations, labor practice complaints from public employees
Nebraska	Minimum wage, child labor laws
Nevada	Minimum wage, payment of wages, underground mines and workings, entertainment productions, prevailing wage, child labor laws
New Hampshire	Protective legislation, Whistleblower's Protection act, minimum wage, youth employment, citizens job protection, displaced homemakers

Table 2

State	Responsibilities of labor standards enforcement agency
New Jersey	Minimum wage, overtime, child labor, wage payment, fringe benefits, sheltered workshop, farm labor, apparel industry, industrial homework, state building service contracts, construction industry independent contractor act, prevailing wage, registration of contractors for public works building projects, restrictions on mandatory overtime for health care workers
New Mexico	Minimum wage, child labor, apprenticeship laws, retaliation law
New York	Minimum wage, hours of work, child labor, payment of wages and wage supplements, industrial homework, apparel industry registration, registration of Professional Employer Organizations, farm labor, mandatory overtime for nurses, employment agency law outside New York City, and a variety of permits. It is anticipated the Division of Labor Standards will enforce the newly approved law covering domestic workers and household employees , and will share in enforcement of the Construction Industry Fair Play Act
North Carolina	Wage payments, youth employment, overtime, minimum wage, drug testing, private personnel and job listing services
North Dakota	Minimum wage, overtime, breaks/meal periods, paid time off, paydays/recordkeeping, tipped employees/credit, youth employment
Ohio	Minimum wage, child labor, prevailing wage
Oklahoma	Minimum wage, wage payment, child labor laws, workers' compensation
Oregon	Minimum wage, prevailing wage, overtime, unlawful deductions, child labor laws, farm and forest labor, payment of wages
Pennsylvania	Minimum wage, child labor law, overtime, wage payment/collection law, prevailing wage, farm labor, underground utility line protection, apprenticeship and training, equal pay, industrial homework, medical fee act, engineering testing or inspection services, personnel file inspection act
Rhode Island	Minimum wage, overtime, nonpayment of wages, child labor, holiday pay, parental and family medical leave, industrial homework
South Carolina	NA
South Dakota	Minimum wage, child labor laws, nonpayment of wages
Tennessee	NA
Texas	Payday law, which regulates payment of wages, and child labor law
Utah	Minimum wage, child labor laws, nonpayment of wages
Vermont	Minimum wage, overtime, compensatory time, on call time, travel time, service/tipped employees, training, commissions, wage deductions, breaks, record keeping
Virginia	Child labor laws, payment of wage laws according to code of virginia 40.1-29, minimum wage
Washington	Overtime, nurses' overtime, breaks and meal periods, minimum wage, payment of wages, 2006 wage payment act, payroll and personnel records, prevailing wage
West Virginia	Minimum wage, prevailing wage, payment collection act, child labor laws, overtime, breaks, undocumented workers, polygraph licensure, wage and hour wage bond
Wisconsin	Overtime, minimum wage, one day rest in seven, child labor, payment/collection of wages, business closing/mass layoff, cessation of health care benefits, personnel records open to employees
Wyoming	Minimum wage, employment discrimination, wage claims, child labor laws, certificates of residency, license employment referral businesses, preference for WY workers, prevailing wage

Policy Matters Ohio is a non-profit, non-partisan research institute dedicated to researching an economy that works for all in Ohio. Policy Matters seeks to broaden debate about economic policy by providing research on issues that matter to Ohio's working people and their families. Areas of inquiry for Policy Matters include work, wages, and benefits; education; economic development; energy policy; and tax policy. Generous funding comes from the Ford, Joyce, Gund, Cleveland, Public Welfare, Annie E. Casey, Sisters of Charity and W.K. Kellogg Foundations, the Economic Policy Institute, and Greater Cleveland Community Shares. To those who want a more fair and prosperous economy... Policy Matters.

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