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**IDAPA 09  
TITLE 01  
CHAPTER 50**

**09.01.50 – RULES OF THE WAGE AND HOUR SECTION**

**000. LEGAL AUTHORITY.**

These rules are promulgated under the legal authority of Sections 72-1333 and 45-616, Idaho Code. (3-30-01)

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be cited as IDAPA 09.01.50, “Rules of the Wage and Hour Section.” (3-30-01)

**02. Scope.** These rules govern Department procedures for wage claim adjudication by Department Compliance or Hearing Officers pursuant to Section 45-617(4), Idaho Code. Procedural rules for wage claim appeals to the Department’s Appeals Bureau are governed by IDAPA 09.01.06, “Rules of the Appeals Bureau.” (3-30-01)

**002. WRITTEN INTERPRETATIONS.**

The Department has no written interpretations of these rules. (3-30-01)

**003. ADMINISTRATIVE APPEALS.**

Appeals shall be governed by the provisions of Section 45-617, Idaho Code and IDAPA 09.01.06, “Rules of the Appeals Bureau.” (3-30-01)

**004. INCORPORATION BY REFERENCE.**

There are no documents that have been incorporated by reference into this rule. (3-30-01)

**005. -- 020. (RESERVED)**

**021. DISMISSAL OF WAGE CLAIM FOR LACK OF PROSECUTION.**

Wage claimants have an affirmative duty to seek prompt adjudication of their claims. The Department may dismiss without prejudice the wage claim of claimants who fail to respond within thirty (30) days to written notice from the Department that additional action is required on their part to prosecute their claim. The thirty (30) day period for a response begins to run on the date the notice is mailed to the wage claimant’s last known address. Mailed responses will be deemed received on the date they are postmarked. A wage claim that has been dismissed for lack of prosecution may be refiled with the Department subject to the limitations of Sections 45-614 and 45-617(1), Idaho Code. (3-30-01)

**022. -- 999. (RESERVED)**

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