



## Ohio Administrative Code

### Rule 4101:9-1-13 Powers and duties of the director.

Effective: June 3, 2004

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(A) Pursuant to sections 119.01 to 119.13 of the Revised Code, the director shall promulgate rules which shall be published.

(B) The director or his or her representative shall have authority to investigate and ascertain wages of persons employed in an occupation in the state; enter and inspect the place of business or employment of any employer of employees in any occupation in the state at any reasonable time, for the purpose of examining and inspecting any records of any such employer that in any way relates to wages, hours, or other conditions of employment of such employees; copy any or all of such records as he or she or his or her authorized representative may deem necessary or appropriate; require from such employer full and accurate statements in writing, at such times as the director may deem necessary, of the wages paid to all employees in his employment; and interrogate such persons for the purpose of ascertaining whether the provisions of the law and the regulations issued thereunder have been and are being complied with.

(C) If any worker with a disability is paid by his or her employer less than the wage and/or overtime compensation authorized by the director as evidenced by a state license authorizing the employment of workers with a disability at less than the minimum wage or by any rules issued thereunder, such worker may recover in a civil action the full amount thereof less any amount actually paid and attorney's fees as may be allowed by court. Any agreement between the employer and the worker to work for less than such authorized wage and/or overtime compensation shall be no defense to such action. At the request of the employee paid less than such wage and/or overtime compensation to which such employee is entitled under the law and rules issued thereunder, the director may take an assignment of such wage claim in trust for the assigning worker and may bring any legal action necessary to collect such claim. The employer shall be required to pay the cost of such reasonable attorney's fees as may be allowed by the court.