

Part 3 **Minimum Wages**

34-23-301 Minimum hourly wages.

The commission may establish minimum hourly wages for minors. If there is an established minimum hourly wage for adults, the minimum hourly wages for minors may be established at a lesser amount.

Amended by Chapter 375, 1997 General Session

34-23-302 Criminal penalty -- Enforcement.

- (1)
 - (a) Repeated violation of Section 34-23-301 is a class B misdemeanor.
 - (b) "Repeated violation" does not include separate violations as to individual employees arising out of the same investigation or enforcement action.
- (2) Upon the third violation of Section 34-23-301 by the same employer within a three-year period, the commission may prosecute a criminal action in the name of the state.
- (3) The county attorney, district attorney, or attorney general shall provide assistance in prosecutions under this section at the request of the commission.

Amended by Chapter 375, 1997 General Session

34-23-303 Civil action allowed.

- (1) In addition to the administrative action authorized by Section 34-23-401, and criminal actions authorized by Sections 34-23-302 and 34-23-402, a minor employee may bring a civil action to enforce his right to a minimum wage under Section 34-23-301.
- (2)
 - (a) An aggrieved minor employee is entitled to injunctive relief and may recover the difference between the wage paid and the minimum wage, plus interest.
 - (b) The court may award court costs and attorney fees to the prevailing party.
- (3) An action brought under this section shall be brought within two years of the alleged violation.

Enacted by Chapter 8, 1990 General Session