

Unpaid Wage Fund FAQs

Q: What is the Unpaid Wage Fund?

The Unpaid Wage Fund (UWF) was created in 1975 as a special fund within the State Treasury in which unpaid wages or benefits due to workers are deposited (SB 883, Presley, Chapter 714, Statutes of 1975). [Labor Code section 96.7](#) sets forth the parameters for the fund, authorizing the Labor Commissioner to collect and deposit such monies into the UWF after investigation, and upon determination that unpaid wages or benefits are due to workers.

Q: I am an employer, settlement administrator, or law firm professional. I have made all reasonable efforts to locate employees for whom there are non-negotiated checks as a result of a private settlement. Can I forward these checks to the Labor Commissioner's Office?

No. Funds collected as a result of private litigation do not involve any investigation or determination by the Labor Commissioner. Therefore, the Labor Commissioner's Office does not have the authority or the resources to process checks and locate workers who were not located by the litigants themselves or a third party administrator and effective October 15, 2018 will no longer process funds.

Q: Does DLSE accept cy pres awards?

No. [Labor Code section 96.7](#) does not authorize the Labor Commissioner to accept [cy pres](#) awards.

Q: I am an employer/administrator/law firm that sent a non-negotiated check to the Unpaid Wage Fund. Who do I contact about its status?

If you have sent the Labor Commissioner a check for amounts collected pursuant to a private lawsuit and you have a question about its disposition, please email the Cashiering Unit at laborcomm.cashiering@dir.ca.gov with your inquiry. Include in your email the full lawsuit case name and number, the court where the case was filed, the amount of the check sent to the Labor Commissioner's Office, as well as copies of the check and correspondence sent.