**WAC 192-570-050 How are damages and liquidated damages assessed by the department, awarded, and paid?** (1) If the department finds the employer has violated RCW 50A.40.010, the department will assess monetary damages referenced in RCW 50A.40.030 plus any interest accrued on the assessed damages.

(2) If the department finds that the employer has committed a violation of RCW 50A.40.010 that is willful as defined in RCW 50A.40.030(4), additional liquidated damages will be added equal to the sum of the assessed damages.

(3) Damages and liquidated damages must be paid by the employer directly to the employee.

(4) If liquidated damages are assessed, the employer must pay all damages owed directly to the employee within 30 calendar days from the day the determination is issued, unless the employer files an appeal under chapter 50A.50 RCW.

(5) The department is not responsible for collection action against an employer that defaults on the payment of all damages awarded. A collection action may be initiated by the employee against the employer by filing a warrant with the clerk of any county within the state.

(6) If damages are not paid to the employee on the date on which they are due and payable as prescribed by the commissioner, the whole or part thereof remaining unpaid shall bear interest at the rate of one percent per month or fraction thereof from and after such date until payment plus accrued interest is received by the employee.

[Statutory Authority: RCW 50A.05.060. WSR 25-03-089, s 192-570-050, filed 1/16/25, effective 2/16/25. Statutory Authority: RCW 50A.05.060 and 2020 c 125. WSR 20-20-074, § 192-570-050, filed 10/2/20, effective 11/2/20.]