



Guam Department of Labor
 Wage and Hour Division
 414 W. Soledad Avenue
 GCIC Building, Suite 402
 Hagåtña, GU 96910

WAGE COMPLAINT CHECKLIST

The Guam Wage and Hour Division is charged with the responsibility to administer and enforce the Fair Labor Standards Act, promulgated under Title 22, Guam Code Annotated, Chapter 3, and Child Labor Laws under Title 19, Guam Code Annotated, Chapter 11, to protect workers against unpaid hours worked.

In order to best serve you, please follow these steps when filing your claim:

- The completed "Employee's Confidential Complaint Statement" must be submitted by the complainant.
Due to COVID-19 precautions, all forms must be submitted by email, with complainant's legible copy of a valid photo ID.
Notice: You have two (2) years from the payday your wages were due to file your complaint. 29 U.S.C. §225. Statute of Limitations

- Submitting your complaint:**

Attach any examples of evidence in the form of documents or statements to include in your claim. The documents below are needed to support your claim against the employer. The department may not be able to accept your complaint without substantial evidence that proves a violation has been made.

The evidence you submit with your wage claim will not be returned to you. Please make copies for your records. If you are unable to make a copy, you may submit your original documents with an understanding that a representative from our office will contact you when it is available to pick-up.

Complaint Form

Supporting Documents:

- Time cards/time sheets
- Check stubs/pay statements
- Written deduction authorizations
- Any other documents which substantiate your employment

Notice: The investigator may ask for additional documents to support your claim.

- The Department of Labor must remain objective, and fair and impartial when investigating wage claims or complaints. You must provide evidence which supports your claim. If your claim is accepted, your employer will also be required to submit evidence. The investigator will evaluate the evidence submitted. Based upon the evidence submitted, the investigator will decide whether or not a violation of the Fair Labor Standards Act has occurred.
- Please contact the Department of Labor immediately if there are any changes to your name, contact information, physical and mailing address. Failure to keep the Department informed of your current mailing address and phone number may result in the closure of your claim.

Other notices:

- Notice to the Employer:** Claims are assigned to investigators on a first come, first serve basis. Once assigned, the following notice to employers are given:
 - Notice of Alleged FLSA Violation** is delivered to the employer, in person, by the investigator; or is made known to the employer via mail, e-mail, or telephone conference
- Informal Meetings:** Both sides (employer and employee) and all parties involved will be given a chance to explain their positions and support them with testimony, documents or witnesses. The investigator will explain the laws and attempt to reach a settlement. Numerous informal meetings may occur until a settlement is met and all back wages (if any) are satisfied by the employer.
Due to COVID-19 precautions, most meetings will be done via electronic means.
- In some cases, in which your claim is not accepted or resolved, you may file a complaint in Small Claims Court if the amount is less than \$10,000.00 or retain a private attorney.

Please return this checklist with your complaint form and supporting documents.

Print Name: _____

Date: _____