**Section 300.940 Filing of a Claim and Service**

a) An employee or an employee's representative may file a complaint with the Department alleging violations of the Act by submitting a completed wage claim application on the form provided by the Department and by submitting all supporting documentation. All wage claims except those filed under Section 13.5 of the Act shall be filed within one year after the wages or final compensation were due. All wage claims filed under Section 13.5 of the Act shall be filed within three years after the wages or final compensation were due.

b) Wage claim applications shall be reviewed by the Department to determine whether there is cause for investigation. The Department will limit its investigation to reviewing the 3 years before the date the complaint was filed.

c) Service of any document upon any person may be made by personal delivery, certified mail with the return receipt signed by the person or its agent, US regular mail with postage prepaid, electronic mail (e-mail) when agreed to by the party, or any other verifiable means, such as private carrier, to the following:

1) address on file with the Department;

2) address on file with the Secretary of State;

3) address on file with any other State agency with which the respondent shall maintain a current address; or

4) any other address, including e-mail address, the Department reasonably calculates to be a true and current address for the respondent.

d) The Department will notify the respondent of the existence of the claim.

(Source: Amended at 47 Ill. Reg. 5406, effective March 31, 2023)