**Section 252.25 Department Responsibilities**

a) *The Department will administer and enforce the Act. The Department shall have the powers and the parties shall have the rights, provided in* Article 10 of *the Illinois Administrative Procedure Act* [5 ILCS 100/Art.10] *for contested cases. The Department has the power to conduct investigations in connection with the administration and enforcement of the Act, including the power to conduct depositions and discovery and to issue subpoenas. If the Department finds cause to believe that the Act has been violated, the Department shall notify the parties in writing and the matter shall be referred to an Administrative Law Judge to schedule a formal hearing in accordance with* 56 Ill. Adm. Code 120 (Rules of Procedure in Administrative Hearings)*.*

b) *The Department is authorized to impose civil penalties prescribed in Section 30 of the Act in administrative proceedings that comply with the Illinois Administrative Procedure Act and to supervise the payment of the unpaid wages and damages owing to the employee or employees under the Act.*

c) *The Department may bring any legal action necessary to recover the amount of unpaid wages, damages, and penalties, and the employer shall be required to pay the costs. Any sums recovered by the Department on behalf of an employee under the Act shall be paid to the employee or employees affected. However,* no more than *20% of any penalty collected from the employer for a violation of the Act shall be deposited into the Child Bereavement Fund, a special fund created in the State treasury, and used for the enforcement of the Act.*

d) *The Attorney General may bring an action to enforce the collection of any civil penalty imposed under the Act.* [5 ILCS 100/25]