

## REMEDY PACKAGE

The following remedies are available under the ordinances OLS enforces:

- Unpaid wages
  - OLS intends to collect all unpaid wages due to all employees
- Interest
  - OLS assesses interest at a rate of 12% per annum, calculated monthly
- Equitable relief
  - OLS assesses appropriate equitable relief
- Liquidated damages
  - First violation = OLS may assess double the unpaid wages
  - Subsequent violations = OLS shall assess two times the unpaid wages
- Retaliation remedies
  - Any appropriate relief at law or equity, including reinstatement, front pay in lieu of reinstatement, payment of unpaid wages plus interest
  - Remedies shall include a penalty to the aggrieved party of up to \$5000
- Notice and Posting
  - First willful violation = OLS shall assess a \$750 civil penalty
  - Subsequent willful violations = OLS shall assess a \$1000 civil penalty
- If Respondent willfully hinders, prevents, impedes, or interferes with the Director or Hearing Examiner
  - OLS shall assess a \$1000 to \$5000 civil penalty
- Violation – Civil Penalties to City
- First Violation – OLS may assess **up to** \$500 per aggrieved party
- Second violation – OLS shall assess **up to** \$1000 per aggrieved party or up to 10% of unpaid wages, whichever is greater
- Subsequent violation – OLS shall assess **up to** \$5000 per aggrieved party or 10% of total unpaid wages, whichever is greater
- Maximum penalty for violation = \$20,000 per aggrieved party or 10% of unpaid wages, whichever is greater
- Fines to City – OLS may assess fines for the employer’s failure to comply with the following requirements:
- Written notice of rights - \$500

- Notification of PSST balance - \$500 (PSST)
- Written PSST policy and procedure - \$500 (PSST)
- Records for three years - \$500 per missing record (PSST/MW/WT)
- Prohibitions against retaliation - \$1,000 per aggrieved party
- Notice of investigation to employees - \$500
- Notice of failure to comply with final order - \$500
- Written notice of employment information - \$500 per aggrieved party (WT)
- Written notice of pay information - \$500 per aggrieved party (WT)
  
- Retroactive Paid Sick and Safe Time Remedy
  - OLS typically uses the following formula to compensate employees who were denied PSST:
    - Payment for 30 PSST hours for each year of noncompliance at the employee's rate of pay on the last day of each year of noncompliance, plus 12 percent interest per annum, calculated monthly.
    - Access to sick leave hours each employee should have accrued each year minus the number of hours paid out in (a) above.
  - This remedy may be prorated if the employee does not work full time.