

City of Cincinnati Wage Enforcement

City of Cincinnati Wage Enforcement Ordinance Chapter 326 of the Municipal Code of Ordinances

Legislative Intent and Purpose Sec. 326-1

It is the purpose of [Chapter 326 of the Cincinnati Municipal Code] to assure that city incentives support development that complies with local, state and federal wage and payroll laws, thereby ensuring that workers receive proper compensation for their work. Where there are violations of those local, state and federal wage and payroll laws on city-supported developments, this chapter obligates any parties involved in the development who know about the violations to report them. This chapter also communicates to parties receiving incentives from the city that if they or their contractors or subcontractors violate wage or payroll laws, the city intends to recoup its investment to the extent allowed under the laws and regulations governing those city-sponsored incentives.

Complaint Sec. 326-2-C2

"Complaint" shall mean a report made to the city or any governmental agency having relevant jurisdiction that a person, or any contractor or subcontractor working under an agreement or on a development site, has committed wage theft or payroll fraud. A complaint may be such a report submitted to the U.S. Department of Labor, the Ohio Department of Commerce, or another body with authority to investigate and adjudicate such reports, which comes to the attention of the city.

Any and all parties involved in an Agreement or a Development Site who become aware of any incident of Wage Theft or Payroll Fraud associated with work performed under an Agreement or on a Development Site must report such Wage Theft or Payroll Fraud.

This Development Site is subject to the City's Wage Enforcement Ordinance



Sec. 326-2-P1

"Payroll Fraud" shall mean **any** of the following:

- Concealing an entity's true tax or other financial liability to a government agency from government licensing, regulatory, or taxing agencies through tax evasion or fraud;
- Misclassification of employees;
- The unreported or underreported payment of wages;
- Paying a business transaction in cash without keeping appropriate records of reporting and withholding; or
- Committing a violation of local, state or federal wage or payroll laws by any other means.

Wage Theft Sec. 326-2-W

"Wage Theft" means a violation of the Ohio Prompt Pay Statute, O.R.C. 4113.15; the Ohio Minimum Fair Wage Standards Act, O.R.C. Chapter 4111; Ohio's Minimum Wage Constitutional Amendment, Section 34a of Article II of the Ohio Constitution; O.R.C. Chapters 4109 or 4115; O.R.C. Sections 4113.17, 4113.18, 4113.52, or 4113.61; any federal statute or regulation comparable to the aforementioned Ohio statutes; any statute or regulation of another state that may apply to a particular agreement; or the city's living wage requirements in Cincinnati Municipal Code Chapter 317; or any successor to any of these laws or regulations

Complaints may be filed with or reported to the City:

In Person at:
City of Cincinnati
Department of Economic Inclusion
Two Centennial Plaza
805 Central Avenue, Suite 610
513-352-3144

Or Electronically at:
dei@cincinnati-oh.gov