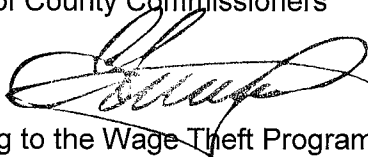


Memorandum



Date: July 11, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Annual Report Relating to the Wage Theft Program

Pursuant to Ordinance No. 10-16, enacted by the Board of County Commissioners (Board) on February 18, 2010 to establish the Wage Theft Program, the following is the annual report which includes quarterly statistical data about the number of inquiries, number of petitions for hearings, number of hearings scheduled, the cost of the hearings, and the results of the hearings. This annual report covers the period from January 1, 2018 to December 31, 2018.

This reporting period shows a twenty percent increase in the number of qualified cases over the previous five-year average. A positive trend in resolving more wage theft disputes through successful conciliations continues. This is significant since the process is shorter, the wage theft victim is guaranteed payment and the need for an administrative hearing is avoided. During this period, one additional administrative hearing date has been added each quarter to enable more timely resolution of cases that do enter the hearing process.

Attached for the 2018 period are two separate exhibits:

- Exhibit A - provides information on Wage Theft complaints that went before a hearing examiner in each quarter.
- Exhibit B – provides broader information that tracks outcomes of all Wage Theft complaints received during each quarter.

If there are any questions or concerns, please contact Gregory Baker, Division Chief, Office of Consumer Protection in the Department of Regulatory and Economic Resources, at (786) 469-2312.

Attachments

c: Abigail Price-Williams, County Attorney
Geri Bonzon-Keenan, First Assistant County Attorney
Office of the Mayor Senior Staff
Lourdes Gomez, Deputy Director, Department of Regulatory and Economic Resources
Gregory Baker, Division Chief, Office of Consumer Protection, Department of
Regulatory and Economic Resources
Yinka Majekodunmi, Commission Auditor
Linda Cave, Clerk of the Board

EXHIBIT A

2018 WAGE THEFT QUARTERLY HEARING SUMMARY *
January 1 - December 31, 2018

	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	TOTALS
NUMBER OF CASES SCHEDULED FOR HEARING	28	28	24	34	114
Withdrawn prior to Hearing	0	1	0	0	1
Settled at the Hearing	2	1	1	1	5
Dismissed	10	13	10	6	39
Violation Found	13	11	11	18	53
No violation proven	1	2	2	3	8
Rescheduled	2	0	0	6	8
WAGES AWARDED	\$ 78,217	\$ 20,391	\$ 67,615	\$ 45,683	\$ 211,907
PENALTIES AWARDED	\$ 156,434	\$ 40,782	\$ 135,230	\$ 91,367	\$ 423,814
ADMIN COSTS AWARDED	\$ 4,550	\$ 3,850	\$ 3,850	\$ 6,300	\$ 18,550
Direct Costs Expended for Administrative Hearings	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 12,800

* These summary figures are based on the cases heard at each scheduled hearing during the 2018 calendar year period, regardless of when the complaint was received.

EXHIBIT B

**WAGE THEFT ANNUAL REPORT
CASE OUTCOMES BASED ON RECEIVED DATE
FOR THE PERIOD OF JANUARY 1 thru DECEMBER 31, 2018**

	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	ANNUAL TOTAL
NUMBER OF COMPLAINTS FILED/OPENED OR REOPENED	184	206	221	149	760
NUMBER OF COMPLAINTS REFERRED OUT, INQUIRY ONLY OR ABANDONED	82	76	123	81	362
NUMBER OF COMPLAINTS QUALIFIED	102	130	98	68	398

BREAKDOWN OF COMPLAINTS THAT QUALIFIED

NUMBER OF COMPLAINTS UNABLE TO EFFECT SERVICE	14	15	18	14	61
NUMBER OF COMPLAINTS WITHDRAWN OR FORMAL BANKRUPTCY	8	3	10	9	30
NUMBER OF SUCCESSFUL CONCILIATIONS	55	75	50	40	220
NUMBER OF CASES WITH FINDING OF WAGE THEFT VIOLATION AT HEARING *	8	23	13	1	45
NUMBER OF CASES WITH NO FINDING OF WAGE THEFT VIOLATION AT HEARING *	16	13	7	3	39
CASES REMAINING OPEN FROM PERIOD	1	1	15	20	37

VALUE OF UNPAID WAGES ALLEGED	\$ 603,361	\$ 431,716	\$ 498,348	\$ 291,831	\$ 1,825,256
VALUE OF SUCCESSFUL CONCILIATIONS	\$ 106,370	\$ 119,776	\$ 73,022	\$ 86,327	\$ 385,496
AMOUNT OF UNPAID WAGES AWARDED AT HEARING *	\$ 11,892	\$ 72,259	\$ 26,201	\$ 281	\$ 110,633
AMOUNT OF PENALTIES AWARDED AT HEARING *	\$ 23,784	\$ 144,519	\$ 52,401	\$ 563	\$ 221,267

* The figures provided here do not match those found in Exhibit A, as the results in this chart reflect the outcome of a complaint received during the quarter, although it may have gone to hearing in a later quarter. Exhibit A reflects the outcome of cases that went to hearing during the quarter although the complaint may have been received in a previous quarter.