

# OHIO



## LABOR LAW POSTINGS Cincinnati

# Cincinnati, OH Labor Law Postings

Thank you for using GovDocs! This file contains the following postings:

Posting ID	Name of Posting	Posting Requirements
LOH43	Cincinnati Current Wage Rates	Required for city employees and employees of covered employers, contractors, and subcontractors providing or delivering services to the City of Cincinnati under service contracts equal to or greater than \$20,000.
LOH44	Cincinnati Wage Enforcement	Required for parties on city-supported developments, or receiving incentives from the city, their contractors or subcontractors.

## Print and Display Guidelines

If needed, the postings in this file can be printed and displayed:

- Postings are formatted according to the issuing agency's size requirements. See the Posting Requirements column (above) for those that require a specific paper size and/or colored printing
- Each posting is set up to print on 8.5" x 11" paper; some are formatted to print on multiple pages
- Review each posting and respective requirements to ensure it's applicable to your company. Contact your HR representative for details
- Display postings in employee common areas, such as a breakroom, cafeteria, employee lounge, etc.

## LIVING WAGE REQUIREMENTS

This contract is subject to the Living Wage provisions of the Cincinnati Municipal Code (CMC), Chapter 317. The provisions require that, unless specific exemptions apply or a waiver is granted, all employers (as defined) under service contracts shall provide payment of a minimum wage to employees (as defined) as follows:

- For employees expected to work fewer than 1,500 hours on an annual basis on this specific City contract, Contractors shall provide payment of a minimum wage to employees of **\$14.47** per hour with health benefits (as defined) or otherwise **\$16.33** per hour. Such rate shall be adjusted annually pursuant to the terms of the CMC 317.
- For employees expected to work 1,500 hours or more on an annual basis on this specific City contract, Contractors shall provide payment of a minimum wage to employees of **\$18.52** per hour, regardless of whether the employer provides health care benefits.

Under the Living Wage provisions, the City shall have the authority, under appropriate circumstances, to terminate this contract and to seek other remedies.

All proposed contractors subject to the provisions of this chapter shall submit a completed declaration of compliance form, signed by an authorized representative, along with each proposal. The completed declaration of compliance form shall be made a part of the executed contract.

Contractors shall require their subcontractors to comply with the provisions of this chapter. Language indicating the subcontractor's agreement to comply shall be included in the contract between the contractor and subcontractor. A copy of such subcontracts or other such agreements shall be submitted to the City.

Contractors and subcontractors shall give written notification to each current and new employee, at time of hire, of his or her rights to receive the benefits under the provisions of this chapter. A copy of such notification shall be retained by contractors and subcontractors which may be subject to audits and/or other forms of monitoring and which must include the following:

### 1. Minimum Compensation.

- For employees expected to work fewer than 1,500 hours on an annual basis on this specific City contract, the initial rates of **fourteen dollars and forty seven cents (\$14.47)** with health benefits or **sixteen dollars and thirty three cents (\$16.33)** without health benefits will be adjusted annually. The living wage shall be upwardly adjusted each year no later than April 30th in proportion to the increase at the immediately preceding December 31st over the year earlier level of the Consumer Price Index as published by the Bureau of Labor Statistics, U.S. Department of Labor.
- For employees expected to work 1,500 hours or more on an annual basis on this specific City contract that the Contractor shall provide payment of a minimum wage to employees of **eighteen dollars and fifty two cents (\$18.52)** per hour, regardless of whether the employer provides health care benefits

### 2. Health Benefits. Proof of the provision of such benefits shall be submitted to the City no later than thirty (30) days after execution of the contract to qualify for the wage rate in Section 317-5(a). Health benefits shall be provided to part-time employees as well as full-time employees.

"Health Benefits" means providing health care benefits for employees (or employees and their dependents) at employer cost or making an employer contribution toward the purchase of such health care benefits for employees, provided that the employer cost or contribution equals no less than \$1.50 an hour for the average work week of such employee.

"Covered employee" means a full-time city employee or any person who is employed as a service employee of a contractor or subcontractor under the authority of one or more service contracts with the city and who expends any of his or her time thereon, including but not limited to: restaurant, food service or banquet employees; janitorial employees; security guards; parking attendants; gardeners; waste management employees; and clerical employees, provided however, that persons who are employed pursuant to federal or state laws relating to prevailing wages shall be exempt from this Chapter.

Specifically, a "covered employee" is the persons or persons employed by a "covered employer" to perform the specific services which are covered or funded by the contract with the city.

*(the language below applies if the contract is a firm price contract)*

The bid amount shall include all current and future costs associated with the Living Wage requirements.

# 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:

- a) 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;
- b) Misclassification of employees;
- c) The unreported or underreported payment of wages;
- d) Paying a business transaction in cash without keeping appropriate records of reporting and withholding; or
- e) 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](mailto:dei@cincinnati-oh.gov)