

Living Wage Ordinance: Civil Penalty Schedule

The Living Wage Program (LWP) may impose the following penalties for uncured violations of the Living Wage Ordinance (LWO), pursuant to San Diego Municipal Code (SDMC) § 12.0803(d) and Section 12.1 of the Rules Implementing the Living Wage Ordinance. Penalties shall be assessed through a Notice and Order issued by the Office of Labor Standards and Enforcement and are payable to the City of San Diego.

LWO Violation	SDMC Section	Penalty Amount
Failure to pay living wage rates, including hourly rate and/or health benefit rate, to covered employees	SDMC §22.4220(a)	\$100 per covered employee per day
Retaliation	SDMC §22.4230(d)(1)(2)	\$1,000 per instance
Failure to provide compensated leave to covered employees.	SDMC §22.4220(c)	\$100 per employee per year of non-compliance
Failure to provide uncompensated leave to covered employees.	SDMC §22.4220(e)	\$100 per employee per year of non-compliance
Failure to use own employees to perform at least 50% of the contracted work.	SDMC §22.4210(c)	\$250 per contract
Failure to submit annual compliance report	SDMC §22.4225(d)	\$500 per contract
Failure to create and maintain records in compliance with the LWO	SDMC §22.4225(d)	\$500 per investigation
Failure to comply with employee notice requirements	SDMC §22.4225(b)	\$100 per employee
Failure to comply with LWO posting requirements	SDMC §22.4225(e)	\$100 per site visit and/or investigation
Failure to furnish business records following written request by the LWP, including certified payroll records	SDMC §22.4225(d)	\$100 per day following the due date of records requested