



Compliance Department  
Office of Labor Standards & Enforcement

## **APPEAL PROCESS**

### **Living Wage Ordinance (LWO) Exemption Application**

Upon receiving a timely written notice of appeal, it is the responsibility of the Compliance Department Director (Chief Compliance Officer) to designate who will conduct the hearing and schedule a hearing as soon as possible. Guidelines for these informal proceedings are:

1. The Chief Compliance Officer will appoint a staff member to conduct the hearing. The designated staff member must not work within the line of supervision of the Program Manager for the Office of Labor Standards and Enforcement and will not have been privy to details of the applicant's certification status. The designated staff member must not have participated in the decision to recommend denial or revocation of the LWO Exemption.
2. The Chief Compliance Officer will send written notice via e-mail and U.S. Postal Service to the appellant with the date, time, and location of the hearing at least 10 calendar days prior to the date of the hearing.
3. All information pertinent to the hearing from appellant will be provided to the designee conducting the hearing within 10 calendar days of scheduled hearing.
4. The staff member appointed to the hearing shall render a written decision within 10 calendar days of the completion of the hearing. If the staff member determines the complexity of the case requires additional time in which to render a decision, the time in which to render the decision is automatically extended an additional ten calendar days.
5. The decision rendered by the designee shall be the City's final decision.
6. The written decision will be issued via e-mail and U.S. Postal Services.

Failure to appear on the requested hearing date and time is a waiver of the appellant's right to contest the denial or revocation of their LWO Exemption. A hearing will not be rescheduled unless requested prior to the original scheduled date.

Appellants have the right to present evidence at the hearing. All evidence to be considered by the designee will be retained by the Chief Compliance Officer. Formal rules of evidence and discovery do not apply.

Legal representation is not required. However, both parties may have legal representation, if desired, or either party may designate an authorized representative (non-legal representative) at the hearing.

All hearings will be held at Civic Center Plaza, Suite 200, during normal business hours.