



# City and County of Denver

**Denver  
Labor**

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## Citywide Minimum Wage Investigation Summary

### 1. RECEIVE COMPLAINT

- Complaints can be made by e-mail, webform, telephone, or in person. All complaints must be made in writing. We will assist anyone making a complaint in completing the necessary forms.
- Complaints may be made by employees, a third-party (family/friends, attorney, community resource, labor organization) or anonymous. However, we encourage any party making a complaint to share contact information. We make every effort to keep complainant's information confidentiality. Communication between the complainant and the investigator can dramatically assist an investigation.
- Complaints should include the employer's name, location where the work was performed, and a statement explaining the alleged violation. The investigator assigned to the complaint may contact a complainant for additional information or documentation. Denver Labor will not ask and accept information related to a party's citizenship or immigration status. The more information the complainant can provide, the greater the likelihood of a successful investigation.

### 2. ASSESS COMPLAINT

- After receiving the complaint and any additional information requested by the investigator, Denver Labor's minimum wage team will review the complaint. The complaint will be reviewed to ensure initial investigation requirements: 1.) sufficient information was provided to permit an investigation; 2.) the work was performed after Jan. 1, 2020; 3.) the work was performed within the City and County of Denver; and 4.) the minimum wage requirements were not met.
- If initial investigation requirements were not met, the complaint will be closed and the employer will not be contacted.
- If the initial investigation requirements are met, the employer will be contacted and an investigation of the employer's minimum wage compliance for all employees will be conducted.

### **3. CONTACT EMPLOYER**

- After receiving a credible complaint, an investigator will contact the employer, explain the complaint, and request documentation demonstrating compliance with the city's minimum wage requirements. The employer will be informed of critical deadlines and be provided instructions for submitting the requested documents, including certified payrolls.
- An employer has 30 days to respond to requests for documentation.
- Denver Labor will not provide the complainant's identity.

### **4. EVALUATE COMPLAINT**

- After receiving the information requested from the employer, including certified payrolls and any additional information the employer wishes to provide to demonstrate compliance, Denver Labor's minimum wage team will re-examine the complaint, considering all information provided by the party making the complaint and the employer.

### **5. DETERMINE UNDERPAYMENT AND FINES**

- If no underpayment is found, the investigator will inform both the complainant and the employer — no underpayment or violation was found, and the case will be closed. A determination does not bar any party from seeking alternative relief or prevent a party from resubmitting a complaint with additional information.
- If an underpayment is identified, the investigator will inform both parties of the determination. A determination will inform the parties of any restitution owed and the assessment of any applicable fines. There are several types of fines, including fines for underpaying employees, failing to produce records, or providing false records. Most of the fines are mandatory and cannot be waived by Denver Labor.
- A party has 30 days from the notice of a determination to file a written appeal with the Auditor's Office.

### **6. RESOLVE COMPLAINANT**

- Cases are resolved when: 1.) closed as the result of an investigation; 2.) the employee provides evidence of complete restitution; or 3.) the case is referred to another agency for investigation or to an outside firm for collection of restitution.