

Mayor's Office of Labor
Richard Lazer
Deputy Mayor for Labor
Benefits and Wage
Compliance

CITY OF PHILADELPHIA
JAMES F. KENNEY, Mayor



October 30, 2019

Mr. Frank Fleming
7735 Orpheus Pl
Philadelphia, PA. 19153
Attn: Frank Fleming
Re: Determination

As a result of the investigation into the complaint filed with the Office of Benefits and Wage Compliance it has been determined that *Frank Fleming General Contractor*, is in violation of Chapter 9-4300 of the Philadelphia Code, entitled "Wage Theft Complaints" and therefore, owes [REDACTED], \$ 4,250 (Four Thousand Two Hundred and fifty dollars) for unpaid wages.

An investigation of the complaint has been conducted. The findings of facts are as follows:

Ms. [REDACTED] was employed by *Frank Fleming General Contractor*.

The above wages meet the threshold.

The Office of Benefits and Wage compliance notified *Frank Fleming General Contractor* of the complaint and requested documentation on March 26, 2019 and on May 16, 2019 *Frank Fleming General Contractor* has never provided this office with any documentary evidence.

On May 16, 2019 this office extended the deadline for providing the requested documentation by one week. Mr. Fleming of *Frank Fleming General Contractor*. Three weeks has passed since the one-week extension and this office has not received any documents or any further requests for extensions from Mr. Fleming.

Ms. [REDACTED] provided this office with a detailed record of moneys owed and days worked. Mr. Fleming did not provide any records or evidence rebutting Ms. [REDACTED]'s records. Ms. [REDACTED] is entitled to \$150.00 a day.

Ms. [REDACTED] worked for Mr. Fleming from July 23, 2018 until October 19, 2018, during which time she worked 28.5 days. Ms. [REDACTED] was never paid for any of her.

Payment in full of \$4250.00 is due to Ms. [REDACTED] by November 4, 2019. This is your final notice.

Lack of payment will result in penalties of \$2,000 per week in which wages have gone unpaid and your name will be placed on a published list of employers who have current unpaid balances as required by § 9-4303 of "*Wage Theft Complaints.*"

Finally, any form of retaliation against any employee who exercises their rights under Chapter 9-4303 of the Philadelphia Code, entitled "Wage Theft Complaints" is unlawful; should you have any questions please feel free to contact our office.

Regards,

Dwayne Stewart
Compliance Investigator
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Phone# [215 686-0801]
Cc: Community legal services, [REDACTED]