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Immigration Committee
July 1, 2014
500 Market Station, Suite 200
Round House Conference Room
4:30pm to 6:00pm

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes – May 6, 2014 and June 3, 2014
4. Announcements
5. Community Comments
6. New Business
 - a. Work Plan Assignments – Alejandra Seluja
 - b. City Minimum Wage Enforcement Policies – Marcella
7. Old Business
 - a. Updates on Immigration Reform Efforts -Marcela
 - b. Committee Report to City Council - Alejandra
 - c. Update on Schools -
8. Communications from Staff
9. Communications from Committee
10. Next Meeting and Adjourn

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IMMIGRATION COMMITTEE
INDEX
JULY 1, 2014

Cover Page		Page 1
Call to Order and Roll Call	The Chair convened the Immigration Committee meeting at 4:45 pm, Caboose Room at the Market Center, Santa Fe, New Mexico. A quorum was declared by roll call.	Page 2
Approval of Agenda	Ms. Diaz moved to approve the agenda, second by Ms. Cabeza de Vaca, motion carried by unanimous voice vote.	Page 2
Approval of Minutes May 6, 2014 and June 3, 2014	<p><i>Corrections</i> <i>May 6, 2014 – Page 5 – Ms. Esquibel – remove from minutes.</i></p> <p>Ms. Esquibel recommended a special meeting, possibly a sub-committee to create a plan to disseminate information. Ms. Esquibel said she could gather people from the community to help out and go to SFPS District to appoint someone to help. It would be nice if by August they could get a letter for the students to take to their parents letting them know about the November enrollment.</p> <p><i>Ms. Esquibel moved to approve the minutes as amended, second by Ms. Cabeza de Vaca, motion carried by unanimous voice vote.</i></p> <p><i>June 3, 2014 – Page 2 #4 Ms. Cecilia Tadfor (correction of name spelling.</i></p>	Page 2-3

	Mr. Rios moved to approve the minutes of June 3, 2014, second by Ms. Cabeza de Vaca, motion carried by unanimous voice vote.	
Announcements	Informational	Page 3
Community Comments	Informational / Covered under Item 7-b	Page 3
New Business a. Work Plan Assignments – Alejandra Seluja b. City Minimum Wage Enforcement Policies – Marcela Dias	Informational Chair and Staff Follow Up included in Minutes	Page 3-6
Old Business a. Updates on Immigration Reform Efforts – Marcela b. Committee Report to City Council – Alejandra c. Update on Schools	Informational	Page 6
Communications from Staff	Informational	Page 6
Communication from Committee	None	Page 7
Next Meeting	August 5, 2014, 4:45 pm	Page 7
Adjourn	There being no further business to come before the Immigration Committee, meeting was adjourned at 6:15 pm	Page 7

IMMIGRATION COMMITTEE
JULY 1, 2014
Market Street Offices, Santa Fe, NM
4:30 pm – 6:15 pm

MINUTES

1. The Chair, Alejandra Seluja, called meeting to order at 4:45 pm. A quorum exists and reflected in roll call.
2. Roll call did not constitute a quorum.

Present:

Alejandra Seluja, Chair
Marcela Diaz
Cara Esquibel
Javier Rios
Jewel Cabeza de Vaca
Amparo Guerrero

Not Present

Elizaabeth Hemmer
Cecilia Tadfor
Maria Cristina Lopez, Excused

Others Present

Dale Lettenberger, Santa Fe City Police Department and Staff Liaison
Julia Valdez, Santa Fe County Representative for Commissioner Stefanics
Lorenzo Ramirez
Rayos Burciaga
Adda Sallard
Fran Lucero, Stenographer

3. **Approval of Agenda**

Ms. Diaz moved to approve the agenda, second by Ms. Cabeza de Vaca, motion carried by unanimous voice vote.

4. **Approval of Minutes – May 6, 2014 and June 3, 2014**

Corrections

May 6, 2014 – Page 5 – Ms. Esquibel – remove from minutes.

Ms. Esquibel recommended a special meeting, possibly a sub-committee to create a plan to disseminate information. ~~Ms. Esquibel said she could gather people from the community to help out and go to SFPS District to appoint someone to help.~~ It would be nice if by August they could get a letter for the students to take to their parents letting them know about the November enrollment.

Ms. Esquibel moved to approve the minutes as amended, second by Ms. Cabeza de Vaca, motion carried by unanimous voice vote.

June 3, 2014 – Page 2 #4 Ms. Cecilia Tadfor (correction of name spelling.

Mr. Rios moved to approve the minutes of June 3, 2014, second by Ms. Cabeza de Vaca, motion carried by unanimous voice vote.

5. Announcements

Ms. Valdez informed the committee members that Santa Fe County has approved the Health Care Assistance Program which will serve indigent individuals regardless of immigration status in Santa Fe County. (Exhibit A) Additional information can be obtained through the Human Services Department, Ms. Rachel O'Connor or Patricia Boies. There is a \$900,000 budget through June 30, 2014.

Camp Corazones summer camp for families infected or impacted by HIV/AIDS will be held July 17-20, 2014 at the National Guard Armory. Kids ages 5-12 can participate at no cost. For our immigrant families no background checks will be conducted, they only need to provide an ID when you bring the kids to camp. Ms. Jewel Cabeza de Vaca is the contact to obtain applications. Mayor Javier Gonzales and Senator Nancy Rodriguez will be the guests of honor at the grand finale on Saturday, July 19th at 6:00 pm. Kids-camp.org (Exhibit B)

Mr. Rios sits on the National Latino Aids Awareness Day Committee and asked if anyone would like to plan an awareness day in Santa Fe he would be happy to work with a group. October 15 is National Latino AIDS Awareness Day. The 2013 theme was "Commit to Speak"/"Comprométete a Hablar". The Latino Commission on AIDS (LCOA), the Hispanic Federation and many other organizations organize this day. The NLAAD campaign works annually at building capacity for non-profit organizations and health departments in order to reach Latino/Hispanic communities, promote HIV testing, and provide HIV prevention information and access to care. In October it is Border by National Health Week and Mr. Rios is on the planning committee for these two important health events.

Mr. Rios reported on the Community Health Workers Act status. (Act is attached for information only). The plan is that the Health Department within the next two month will have the draft of the rules and regulations. Public comment will be welcomed and they they want as many promotoras to participate as the grandfathering process will happen at this time to become community health workers. The application will be published with the rules and regulations and will specify the guidelines.

6. Community Comments

(The below mentioned individuals will present under Item 7-b.)

Lorenzo Ramirez, SOMOS Worker's Committee
Rayos Burciaga, SOMOS Worker's Committee
Adda Sallard, SOMOS un Pueblo Unido

7. New Business

a. Work Plan Assignments – Alejandra Seluja

- Meet with the Mayor on new Police Chief – completed

- Meet with Municipal Judge and Magistrate Judge re: Ice presence in court – not completed
- Ms. Diaz said that there have been recent court opinions regarding the allotted time for ICE holds. Ms. Diaz said there are many counties' that understand the liability and feel that it might not be the best decision to continue ICE holds. (Law Enforcement/Civil Rights Committee to set up appointment per the Chair)
- Meet with Santa Fe County regarding the Indigent Fund. – Completed

The Chair reiterated that the meeting with the Mayor and Council is scheduled for July 9th. She invited the committee to review the report and to attend the City Council meeting if at all possible. Ms. Diaz stated that the recommendation to meet with the new city councilors was not completed. Ms. Diaz said that the City Councilor's could be invited individually to come to an Immigration Committee meeting. Captain Lettenberger will discuss with Ms. Rodriguez the status of this request. It was confirmed that Ms. Rodriguez would place the Immigration Committee on the City Council agenda for July 9th.

- Meeting held with the Mayor, Chair Seluja, Ms. Rodriguez and Captain Lettenberger. Completed
- Review Immigrant friendliness of procedures at Economic Development Department and make recommendations, survey immigrant owned businesses. The Chair will oversee this task and meet with the City Director of Economic Development.

Ms. Guerrero said that she would like to be assured that the councilor's from the south side are contacted and engaged in this discussion.

Ms. Diaz wants to know what economic development plan the city of Santa Fe has for all geographic areas.

Follow up is to invite Fabian Trujillo and Councilor Dominguez to have a discussion regarding economic development.

- Review and make recommendations to city minimum wage enforcement procedures. (To be discussed in today's agenda).
- Health Care Access – Cara Esquibel and Mr. Rios working on this topic of discussion.
- Immigration Reform
 - Resolutions for Municipal League, Association of Counties. Ms. Valdez from Santa Fe County will provide the Chair with an update in this area.

- **Language Access**
Inventory of city English language documents that should be translated. Scheduled in September 2014. It was recommended that the committee be aware of any forms that are not translated.
- **Miscellaneous**
This is an on-going process and includes; legal consultations for immigrants, immigration, employment matters, vivienda, education issues and same sex marriage concerns.
- **Education – Ms. Esquibel**
Ms. Esquibel stated that the minutes reflected that the Chair was going to follow up with the SFPS Superintendent on the status and response to the letter sent close to one year ago and follow up to the letter from Ortiz school incident. The Chair will request a follow up meeting with the Superintendent through Ms. Rodriguez.

Captain Lettenberger said he spoke to security at Ortiz School regarding the fights and bullying. The response from school security is that they cannot respond to anything that is not on school premises. They did offer to accept additional training on these matters from the SFPD when they conduct their school security training. Captain Lettenberger will present at this training.

Ms. Guerrero feels that it is important to have a follow up meeting with the SFPS Superintendent, as there are many problems that the immigrant families are experiencing with bullying as well as unsolved issues at Ortiz School. The Chair would like to meet with Ms. Guerrero and Ms. Esquibel to draft a letter to the Mayor and have Ms. Rodriguez present it to Mayor Gonzales requesting his support and further discussion with the School Superintendent.

Ms. Diaz would like to extend an invitation to the new Chief of Police. Captain Lettenberger will follow up on this invitation request.

b. City Minimum Wage Enforcement Policies – Marcela Diaz

Presentation by Lorenzo Ramirez, SOMOS Worker's Committee
Rayos Burciaga, SOMOS Worker's Committee
Adda Sallard, SOMOS un Pueblo Unido
Marcela Diaz, Committee Member and SOMOS

(Presented in Spanish, translation)

One of the problems is that the State of NM Work Force Solutions is not responding to the wage theft complaints. They will only address claims for 1 year, nothing more than \$10,000 and they won't take the complaints in Spanish. If you don't have an ID they will not take your complaint. In the past the constituent could use their passports or matricula consular as identification, now they will only take an ID (drivers license). The group mentioned above is asking for the support from the city to adhere to the ordinance that already exists. (There was a petition that was distributed to the members and will be delivered to the Governor of NM. Exhibit C)

The request from the SOMOS representatives to the Immigration Committee is for support and to send a letter to the Mayor, Council and City Manager to ask that the city enforce the city laws against the employers that are committing these abuses/crimes, wage theft is a crime.

Ms. Diaz asked how many times has the city prosecuted this misdemeanor for wage theft? Response: None

Ms. Diaz said that the City can make resolutions that can be forwarded on to the state level when there are concerns.

There are 5 recommendations (Exhibit D) that the SOMOS representatives would like the city to support.

United Workers Center Petition (Exhibit C)

The Chair feels that this document should be brought back to the next meeting and letter can be created to the City Manager in support. If there is anything that should or could be added to these 5 items they should be submitted to the Chair by e-mail. Ms. Diaz said that she and the Workers Center have been in communication with the City Attorney. She would like to see the Immigration Committee endorse these 5 items (and/or added recommendations). All of these recommendations can be done administratively. The City Manager can handle this administratively.

Ms. Diaz will draft the letter and send to the committee members prior to the next meeting. This item will be an Action Item at the next meeting.

8. Old Business

- a. Updates on Immigration Reform Efforts –Marcela
No changes at this time.
- b. Committee Report to City Council – Alejandra Seluja
Reported above.
- c. Update on Schools – Cara Esquibel
To be discussed at next meeting.

9. Communication from Staff

Captain Lettenberger reported on the recent case request from the Immigration Committee. The Case was not a racial profiling complaint. Internal Affairs investigated it and there was a policy violation by a different officer involved in the case. Case has been closed. Details of case cannot be discussed due to confidentiality.

Ms. Diaz recently filed a request with the Attorney General's Office to inquire on how many bias based policing cases had been report and there were only three; Santa Fe was not included.

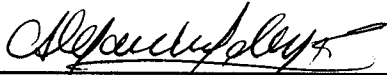
10. Communications from Committee
None

11. Next Meeting and Adjourn

August 5, 2014 at 4:45 pm.

There being no further business to come before the Immigration Committee the meeting was adjourned at 6:15 pm.

Signature Sheet:



Alejandra Seluja, Chair



Fran Lucero, Stenographer



Health Care Assistance Program will serve indigent individuals regardless of immigration status in Santa Fe County

1. Following State Legislative action Santa Fe County is implementing a new Health Care Assistance Program to serve indigent individuals in Santa Fe County.
2. Santa Fe County recently approved a County Health Action plan that establishes health priorities.
3. The Health Care Assistance Program will continue to reimburse claims for community based health care providers for health services for Indigent people that reside in the County.
 - a. The total amount of funding for claims in FY 15 will be about \$900,000.
4. The program will also be used to support initiatives and projects that provide treatment and services targeted to the health priorities in the County Health Action Plan.
5. By resolution, the BCC opened the Health Care Assistance Program to include any person regardless of immigration status.
 - a. Social Security numbers will no longer be required on the application.
 - b. Claims on behalf of individuals are submitted to the County by providers who work with people who fill out the application.
 - c. Everyone must meet income and residency requirements.

Exhibit A



Camp Corazones is an annual three day summer camp for children and families infected or impacted by HIV/AIDS

Serving New Mexico Families Since 1995

July 17 - 20, 2014

Camp Corazones offers children and families affected by AIDS four days of relaxation, fun, games and various recreational activities all in a breathtaking, peaceful outdoor setting. Camp is designed to embrace, support and nurture each child individually.

CALL FOR CAMP CORAZONES VOLUNTEERS

[Camp Corazones VOLUNTEER APPLICATION\(PDF\)](#)

[Camp Corazones COUNSELOR VOLUNTEER APPLICATION\(PDF\)](#)

ACTIVITIES

CONTACT

HISTORY

SCHEDULE

STAFF

VOLUNTEER



Click on image for larger view

Left to Right: National Guard and Camp Staff, 2013

COL Kenneth Nava

M. Dominick Armijo, RN, Medical Team Director

Cynthia Fuentes, Girls Camp Director

David Sundberg, Executive Chef and Menu/Meals Director

Jewel Cabeza de Vaca, Camp Corazones Executive Director

Brig. General Juan Griego, Deputy Adjutant General for New Mexico State Command

Sgt. Maj. Kenneth Adair

Bill Morrison, Webmaster

Robert Preston, Camp Corazones Information Director

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[ACTIVITIES](#) | [CONTACT](#) | [HISTORY](#) | [SCHEDULE](#) | [STAFF](#) | [VOLUNTEER](#)

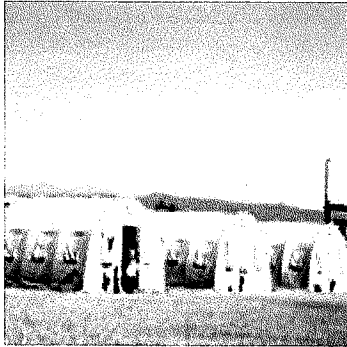
Exhibit B



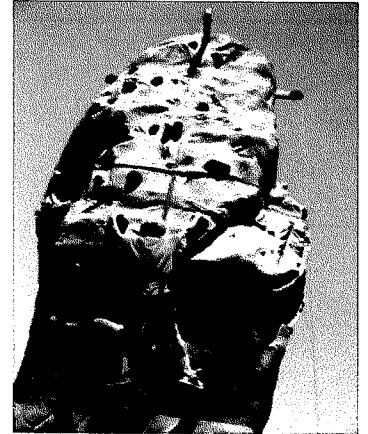
Camp Corazones is an annual three day summer camp for children and families infected or impacted by HIV/AIDS

ACTIVITIES

Selected Photographs From 2013 Camping Adventure
 (click on images for enlargement)
 Photographs by Deloras Smart, Professional Photographer



Camper's home for three days



New Mexico National Guard Rock Wall Climbing



The Snake Charmer?



Campers learning to fold a flag



Dancing Lessons



Campers having fun with a horse



Shaman giving blessing



Campers playing games



Goggle Girl in pool



Swimming pool play



Piñatas and candy



Developing musical talent



Campers having Tug of War



Dinner time food service



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AN ACT

RELATING TO HEALTH CARE; ENACTING THE COMMUNITY HEALTH
WORKERS ACT; PROVIDING FOR DEPARTMENT OF HEALTH CERTIFICATION
OF COMMUNITY HEALTH WORKERS; PROVIDING FOR RULEMAKING, FEES,
CRIMINAL BACKGROUND SCREENING AND DISCIPLINE RELATING TO
CERTIFIED COMMUNITY HEALTH WORKERS; CREATING A BOARD OF
CERTIFICATION OF COMMUNITY HEALTH WORKERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. SHORT TITLE.--This act may be cited as the
"Community Health Workers Act".

SECTION 2. DEFINITIONS.--As used in the Community
Health Workers Act:

A. "applicant" means an individual applying to be
certified or recertified as a community health worker;

B. "board" means the board of certification of
community health workers;

C. "certificate" means the document issued by the
department to qualified applicants for certification as
community health workers;

D. "certification" means the voluntary process by
which the department grants recognition and use of a
credential to individuals who are eligible to practice as
certified community health workers;

E. "certified community health worker" means a

1 community health worker to whom the department has issued a
2 certificate to practice, as a certified community health
3 worker;

4 F. "community health worker" means a public health
5 worker who applies an understanding of the experience,
6 language and culture of the populations that the individual
7 serves and who provides direct services aimed at optimizing
8 individual and family health outcomes, including:

9 (1) informal and motivational counseling and
10 education;

11 (2) interventions to maximize social
12 supports; (3) care coordination;

13 (4) facilitation of access to health care
14 and social services;

15 (5) health screenings; and

16 (6) other services that the secretary
17 defines by rule;

18 G. "department" means the department of health;

19 H. "recertification" means a renewal of
20 certification; and

21 I. "secretary" means the secretary of health.

22 SECTION 3. RULEMAKING--COMMUNITY HEALTH WORKER
23 CERTIFICATION--RECERTIFICATION--FEES.--

24 A. The secretary shall adopt and promulgate rules
25 relating to the following:

1 (1) establishment and administration of a
2 voluntary program for certification of community health
3 workers, including criteria for:

4 (a) minimum education;
5 (b) training;
6 (c) experience; and
7 (d) other qualifications that the
8 secretary deems appropriate in accordance with the provisions
9 of the Community Health Workers Act;

10 (2) forms and procedures for the receipt,
11 review and action upon applications for initial community
12 health worker certification and for biennial recertification;

13 (3) establishment of standards for
14 continuing education and other requirements that the
15 secretary deems appropriate for biennial recertification;

16 (4) procedures for disciplinary action
17 relating to applicants or certified community health workers.

18 Department rules shall include guidelines for:

19 (a) disciplinary action;
20 (b) reprimands;
21 (c) probation;
22 (d) the denial, suspension or
23 revocation of certification or recertification; and

24 (e) applicants' appeal rights;

25 (5) the determination, assessment and

1 collection of certification fees, recertification fees and
2 disciplinary fines; and

3 (6) other matters that the secretary deems
4 appropriate to carry out the provisions of the Community
5 Health Workers Act.

6 B. The department shall apply any fee it collects
7 pursuant to the Community Health Workers Act to cover the
8 costs of administering the community health worker
9 certification program established pursuant to that act.

10 SECTION 4. BOARD OF CERTIFICATION OF COMMUNITY HEALTH
11 WORKERS--CREATION--MEMBERSHIP--DUTIES.--

12 A. The "board of certification of community health
13 workers" is created. The board is administratively attached
14 to the department and shall meet at least once quarterly at
15 the call of the chair.

16 B. The board shall consist of nine members who
17 shall be:

18 (1) residents of the state;
19 (2) appointed by and serve at the pleasure
20 of the secretary; and

21 (3) composed of:
22 (a) the secretary or the secretary's
23 designee, who shall serve as chair of the board; and
24 (b) eight additional members, at least
25 three of whom shall be community health workers.

1 C. In determining the membership of the board, the
2 secretary shall endeavor to appoint community health worker
3 stakeholders such as health care providers, individuals from
4 institutions of higher learning and members of the community
5 from various geographic regions of the state.

6 D. The secretary shall adopt and promulgate rules
7 that establish the board's membership, duties and the conduct
8 of meetings. At a minimum, the board's duties shall include
9 making recommendations to the secretary on the following
10 matters:

11 (1) standards and requirements for the
12 establishment of community health worker education and
13 training programs in the state, the successful completion of
14 which shall qualify an individual as eligible to apply to the
15 department for certification as a certified community health
16 worker;

17 (2) standards and requirements for approval
18 or acceptance of continuing education courses and programs as
19 the board may require for the biennial renewal of a community
20 health worker certificate;

21 (3) minimum education, training, experience
22 and other qualifications that a certified community health
23 worker shall possess to qualify as a trainer in any
24 education, training or continuing education program for
25 community health workers;

1 (4) a means to acknowledge, document and
2 assess relevant education, training and experience or other
3 qualifications acquired by community health workers
4 practicing in the state before the effective date of the
5 Community Health Workers Act for purposes of certification
6 while waiving minimum training and experience requirements
7 established pursuant to Paragraph (1) of Subsection A of
8 Section 3 of the Community Health Workers Act; and

9 (5) the type of certification examination or
10 other means to assess community health worker competency in
11 connection with certification that the department shall
12 require if the secretary determines that a certification
13 examination would enhance the advancement of the practice and
14 profession of community health workers.

15 SECTION 5. REQUIREMENTS FOR CERTIFICATION--
16 RECERTIFICATION.--

17 A. An applicant for certification or
18 recertification shall submit an application for registration
19 in accordance with department rules.

20 B. A certified community health worker shall carry
21 the certified community health worker's certificate and
22 present it upon request.

23 C. The department shall issue certificates that
24 shall be valid for two years to certified community health
25 workers. A certificate may be recertified in accordance with

1 department rules.

2 SECTION 6. USE OF CERTIFIED COMMUNITY HEALTH WORKER
3 DESIGNATION--UNAUTHORIZED PRACTICE.--

4 A. In order to use the title "certified community
5 health worker", the initials "CCHW" or other designation
6 indicating that the individual is a certified community
7 health worker, an individual shall be certified pursuant to
8 the provisions of the Community Health Workers Act.

9 B. To ensure compliance with the provisions of the
10 Community Health Workers Act or any rule that the secretary
11 has adopted and promulgated pursuant to that act, the
12 department may issue cease-and-desist orders to persons
13 violating the provisions of the Community Health Workers Act.

14 C. A certified community health worker shall
15 engage only in those activities authorized pursuant to the
16 Community Health Workers Act and by rules adopted and
17 promulgated pursuant to that act. While engaging in practice
18 as a certified community health worker, an individual shall
19 not engage in or perform any act or service for which another
20 professional certificate, license or other legal authority is
21 required. Nothing in this section shall be construed to
22 prevent or restrict the practice, service or activities of
23 any individual simultaneously certified as a community health
24 worker and licensed, certified, registered or otherwise
25 legally authorized in the state to engage in the practice of



**SOMOS UN
PUEBLO
UNIDO**

The Governor does not support low wage workers!

- The Department of Workforce Solutions has rejected the majority of wage theft claims
- The Martinez Administration favors the documents and information that employers submit over that of workers
- Workforce Solutions refuses to accept or receive complaints in Spanish

For these reasons:

I, _____ () _____
 Full Name Cell Phone Number

I demand that the Governor enforce the laws that protect workers against wage theft and that employers who steal wages be punished.

Exhibit C

Current Administrative Procedures (not written):

1. Worker fills out complaint form at city hall
2. Worker required to provide documentation of employment, i.e. check stubs, work schedule, etc.
3. Notice of violation generated by city and sent to employer
4. Employer given opportunity to provide documentation and/or employee records demonstrating compliance
5. Constituent Services staff reviews documentation and identifies discrepancies, if any.
6. If discrepancies are found, Constituent Services notified employer and requires compliance within 30 days.
7. If documentation is not clear, City Attorney Offices reviews documents to determine if there is a code violation
8. If employer does not come into compliance, the case is forwarded to City Attorney's Office for further action

United Worker Center of NM/Somos Un Pueblo Unido's recommendations: (none of the proposed changes to the procedures would require a ordinance).

1. Spanish and English forms should be available widely.
2. Updated posters should come included with business license renewals.
3. Proactive random checks of payroll records should be explored.
4. A consistent claim process with:
 - deadlines for parties to respond to allegations
 - opportunity for rebuttal
 - a hearing process for parties to present their cases
 - opportunity for parties to reach a settlement in the hearing process
5. Effective use of deterrents for retaliation and habitual offenses:
 - Violation of the city minimum wage is a misdemeanor. The City Attorney or Manager should forward allegations of retaliation to the City Prosecutor for investigation and prosecution.
 - Under the ordinance, the City Manager has the authority to revoke business licenses or registration. Santa Fe should revoke licenses in some cases. As is done in other cities, two or more willful violations should trigger revocation. Ignoring an investigation (no response from employer) should also trigger revocation.
 - Decision by hearing officer should apply maximum penalties allowed by the ordinance if the employer is found to be in violation of law. Interest and treble damages.

Exhibit D