Administrative Details

|  |  |
| --- | --- |
| Date of Inquiry | Date |
| TF311 Inquiry Number  (if applicable) |  |
| Notification No. |  |
| Type of Case |  |
| Description of Complaint |  |
| Investigator Conducting Intake |  |

Potential Charging Party Information

|  |  |
| --- | --- |
| Name |  |
| Address (current) |  |
| Address (where alleged violation occurred) |  |
| Telephone Number |  |
| Email Address |  |

Potential Respondent Information

|  |  |
| --- | --- |
| Organization |  |
| Name (if applicable; all potentially liable people – managers, owners, etc.) |  |
| Address |  |
| Telephone Number |  |

Preliminary Interview Questions

**Work Performed Within the City of Tacoma**

* **Where is the location of the worksite?**

|  |  |  |  |
| --- | --- | --- | --- |
| Street Address | City | Zip Code | District |
|  | Tacoma |  |  |

* **Is the worksite within the City of Tacoma limits?** Check [here](http://wspdsmap.ci.tacoma.wa.us/website/CMO2/PaidLeave/)
  + Yes
  + No
  + Other:

**Eligibility**

* **Employee has worked 80 or more hours?**
  + Yes
  + No
* **If not, is there a *reasonable expectation[[1]](#footnote-1)* that employee will work 80 hours within the year?**
  + Yes
  + No
  + Other:

**Statute of Limitation**

* **Alleged violation occurred on or after February 01, 2016?**
  + Yes
  + No
  + Other:
* **Alleged violation within three years?** [ONLY after February 01, 2019]
  + Yes
  + No
  + Other:

**Other**

* Have you filed this claim with any agency, such as L&I, or court?
  + If yes, explain that we only pursue investigation is no one else is concurrently investigating.
  + No
  + Other:

Witness’ Rights

In the event that we open an investigation on this matter, the information you provide during this intake interview today will become part of the investigation. Therefore, you will become a witness in the investigation. A witness to in investigation has the following rights:

* Retaliation against a witness for participating in an investigation is prohibited by law.
* Most witnesses have a right to a private interview with our office.
* You have the right to request another person to be present during this interview.
* Our office is a neutral and objective fact-finder.

Non-Disclosure

The City of Tacoma, including this office, is subject the State of Washington’s public disclosure laws because we are part of the government. This means that the public may request and obtain information from our office. During an open investigation, however, our office is not required to provide any information that pertains to the ongoing-investigation. This includes all the information you will provide to me today. When the case is over, however, the law is less clear. Our office believes that we may be able to protect the witness’ identity and any identifying information. However, this interpretation of the law has not yet been tested.

* **Do you feel your participation in this case would endanger your personal property (for, example, your future wages)?**
  + Yes
  + No
* **Are you requesting non-disclosure of your identity during the investigation?**
  + Yes
  + No
* **Are you requesting non-disclosure of your identity after the investigation is over?**
  + Yes
  + No
* **In the event we found a violation during the investigation and a remedy is owed to employees, may we disclose your identity to recover the remedy?**
  + Yes
  + No

**Retaliation Only**. If the issue in the investigation is retaliation, it will probably not be possible to not disclose the witness’ identity from the employer because we will need to allege specific facts pertaining to the witness.

* **In the event you are alleging retaliation, are we allowed to disclose your identity to your employer?**
  + Yes
  + No

General Employment Information

* **Are you alleging a violation of your current employer?**

*A*:

* **What is your position or title?**

*A*:

* **When were you hired?**

*A*:

* **Who hired you?**

*A*:

* **Do you still work for the employer?**

*A*:

* **Are you a member of a union at your work?**

*A*:

Minimum Wage

**Terms of Employment**

* **What was the agreement when you were hired regarding schedule, pay, and benefits?**

*A*:

* **How many hours do you work per week in Tacoma?**

*A*:

* **Are full-time or part-time?**

*A*:

* **How often do you get paid?**

***A*:**

* **What is your schedule like each week? Do you take breaks? Meals? Do you clock in and out?**

*A*:

* **How are you paid? Cash? Check? Both?**

*A*:

**Notice**

* **On, or around, February 01, 2016, were you informed by your employer of the Tacoma minimum wage?**

*A*:

* **Have you ever noticed if there is a bulletin board in the break room, or in another part of the workplace, where labor related posters are posted? If yes, have you seen any new poster recently? Have you seen any poster about the Tacoma minimum wage?**

***A*:**

**Rate of Pay**

* **What is your current rate of pay?**

*A*:

* **What was your rate of pay when you started your employment?**

*A*:

* **Do you receive paystubs or pay receipts?**

*A*:

* **What information is on your paystubs or pay receipts?**

*A*:

* **Have you been paid all of the hours you have worked?**

*A*:

**Other Witnesses & Evidence**

* **Do you know any person, or persons, who have not being paid the Tacoma minimum wage?**

*A*:

* **Do you have their contact information?**

*A*:

* **Any additional information that can collaborate the allege violation?**

*A*:

Paid Leave

**Policy**

* **Does your employer have a policy for when you or a family member has to take time off for reasons due to illness, medical care, or to attend a medical appointment?**

*A*:

* **Does your employer have a policy for when you or a family member has to take time off for safety reasons?**

*A*:

* **Does your employer have a policy for when your or a family member takes time off for reasons of school closured from a public official?**

*A*:

* **Does your employer have a policy for you take time off for reason of family member dying?**

*A*:

**Notice**

* **On, or around, February 01, 2016, were you informed by your employer of the Tacoma Paid Leave ordinance?**

*A*:

* **Have you ever notice if there is a bulletin board in the break room or in another part of the workplace where labor related posters are posted? If yes, have you seen any new poster recently? Have you seen any poster about the Tacoma Paid Leave ordinance?**

***A*:**

**Accrual**

* **If any, how many hours of paid leave do you receive?**

*A*:

**Use**

* **Are you permitted to use the paid leave time you accrue?**

***A*:**

* **Does your employer pay for the time you take off for the reasons stated above?**

*A*:

**Notification of Balance**

* **Does your employer provide you with a balance of your total Paid Leave?**

*A*:

* **How often do you receive this balance?**

*A*:

Retaliation

* **Has your employer taken any negative/adverse action towards you for expressing your rights as a worker; such as the City of Tacoma’s minimum wage or paid leave?**

*A*:

* **Has your employer threaten your citizenship status (or that of a family member) to a government agency in retaliation for expressing your rights as a worker?**

***A*:**

* **Has your employer taken your passport?**

*A*:

* **Do you know whether another person, or persons, witnessed the action stated above?**

*A*:

Administrative

**Issue(s)**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Paid Leave: | Notice | | Use | | Accrual | | Notification | |
| Minimum Wage: | Notice | | Rate | |  | |  | |
| Retaliation: | Adverse Action | | Termination | |  | |  | |
| Other:  **Action Taken**  Courtesy Letter  Advisory Letter  Charge | |  | |  | |  | |  |

1. Identify whether the employee was hired to perform a permanent job or whether is it reasonable to expect that employee will work for 80 hours of more. [↑](#footnote-ref-1)