



# **Rules & Regulations of the Fair Employment Wage Board City of Cleveland**

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## **ARTICLE I – Scope, Certification and Publication of, and Amendments to, the Rules & Regulations; Committees**

### **Section 1. Scope of Rules & Regulations**

The Fair Employment Wage Board (“FEWB” or “Board”), enacts these Rules and Regulations (“Rules”) pursuant to Sections 189.04 and 669.03 of the Codified Ordinances of Cleveland, Ohio, 1976, Ordinances (“CCO”). These Rules outline the procedures by which the Board will conduct its work in light of the Board’s requirements to perform their duties and responsibilities contained in CCO Chapters 189 (“Living Wage”) and 190 (“Wage Theft”), and, as of October 27, 2025, Chapter 669 (“Pay Transparency”).

### **Section 2. Certification and Publication of Rules & Regulations**

Immediately upon adoption by a simple majority of the members appointed to and serving on the Board, a copy of these Rules & Regulations shall be certified and attested to by the chairperson. These Rules & Regulations shall become effective seven (7) days after publication in the *City Record*.

A copy of these Rules & Regulations shall also be available on the City’s website.

### **Section 3. Amendments**

The Board may amend these Rules & Regulations from time to time by a simple majority vote of the members appointed to and serving on the Board. All Board members must receive a copy of any proposed amendment(s) at least five (5) business days prior to a vote on the proposed amendment(s). Proposed amendment(s) shall be distributed to all members in the same manner as regular meeting materials.

Amendments adopted pursuant to the foregoing procedures shall be effective seven (7) days after publication in the *City Record*.

### **Section 4. Committees.**

4.1 Rules and Regulations Committee. The Board may establish a Rules & Regulations Committee each year to review the Rules & Regulations and submit any suggested amendments to the full board after sharing any proposed amendments at least seven (7) days prior to the full board meeting.

4.2 The Board may, from time to time and by a majority vote, establish any other committee that it deems necessary to carry out its duties.

## **ARTICLE II – Members**

### **Section 1. Appointments and Qualifications**

Pursuant to CCO Section 189.04(b), the Board shall consist of two (2) representatives from the business community, two (2) representatives from labor organizations, one (1) representative from community groups, one (1) representative from the Mayor’s office and one (1) representative from Cleveland City Council. The FEWB members shall be appointed to the

FEWB by the Mayor, subject to the approval of City Council. Each FEWB member shall be a resident of the City of Cleveland. No person shall be appointed to the FEWB who has any interest in a contract, loan, grant or other financial assistance from the City of Cleveland.

#### **Section 2.      Ethics Training**

Board Members shall complete an Ethics Law training from the Ohio Ethics Commission or the City's Ethics and Compliance Officer within 12 months of appointment. Having completed the training, Board Members shall submit documentation to the City administrative coordinator for the Board.

#### **Section 3.      Term**

Members are appointed for three-year terms. Members may serve more than one term.

#### **Section 4.      Voluntary Resignations from the Board**

A Board member who, for any reason, seeks to voluntarily resign from the Board shall do so by submitting a written letter of resignation to the Mayor and with a copy to the Board's chairperson. All member appointments are subject to a vote by Council, with a majority in the affirmative required for appointment. Any member appointed to a position that has been vacated prior to the expiration of the position's term shall be appointed to serve out the remainder of the unexpired term.

### **ARTICLE III – Organization and Officers**

#### **Section 1.      Chair and Vice Chair Elections**

At the beginning of each year, the FEWB members shall elect a chairperson and vice chairperson by majority vote.

#### **Section 2.      Board Meetings**

The FEWB shall hold meetings quarterly and in special sessions as called by the chairperson or by a majority of the members. All Board meetings of the FEWB shall be open to the public. All meetings will allow for public testimony on compliance with the Fair Employment Wage Board. Minutes of all meetings shall be taken.

### **ARTICLE IV – Duties of Members and Standards of Conduct**

#### **Section 1.      Attendance**

Board members may be recommended for removal from the Board, and may be removed from a FEWB committee or subcommittee, if they are absent without excuse three (3) times in any one-year period.

#### **Section 2.      Conflict of Interest**

Each Board member has a duty to disclose potential conflicts of interest with respect to matters before the Board. A Board member with a potential conflict of interest must recuse

herself /himself from hearing the matter. A Board member with a potential conflict of interest shall notify the chairperson as soon as practicable.

**Section 3. Demeanor / Decorum**

All Board members shall act in a respectful, civil, and professional manner while discharging their duties as Board members.

**Section 4. Vision**

All Board members shall work to protect the dignity of work and support for high road employers.

**Section 5. Removal from Committees and Requests for Removal from the Board**

5.1 By majority vote, the Board may, at any time and for cause, remove or replace any member of any standing committees established under Section 4 of Article I.

5.2 By majority vote, the Board may, at any time and upon finding a Board member of malfeasance, misfeasance, nonfeasance, or gross neglect of duty, submit a letter to the Mayor requesting the removal of such member.

**ARTICLE V – Legal Counsel**

The Board may be represented by counsel from the Law Director's Office.

**ARTICLE VI – Regular Meetings**

**Section 1. Procedural Rules**

Meetings of the Board shall be open to the public. Under CCO 101.021, the meeting may be conducted in-person, virtually, or any combination thereof. Generally, regular meetings shall be conducted in accordance with these Rules & Regulations. Where the Rules & Regulations are silent, Robert's Rules of Order, Newly Revised may be consulted.

**Section 2. Quorum**

All meetings convened for official action must have a quorum present. A majority of all members elected shall be a quorum to do business. If a quorum is not present or not maintained, the present Board members may discuss matters of general concern, but official action requiring a vote may not be taken and must be deferred to a future meeting.

All matters to be considered by the Board for official action are to be decided upon by an affirmative voice vote, with a majority vote of the members present needed to affirm action.

**Section 3. Order of Business**

The order of business for the Board shall be at the discretion of the chairperson who shall set the agenda. However, the agenda for each regular meeting shall include:

- A. Roll call by the chairperson.

- B. Approval of the minutes of the last meeting.
- C. Presentation of any reports from the members or other persons.
- D. Discussion of matters of old business, if any.
- E. Discussion of matters of new business, if any.
- F. Correspondence, if any.
- G. Public Participation, if any.
- H. Adjournment of the meeting.

## **ARTICLE VII – Procedural Rules for Hearings under Chapter 669, Pay Transparency**

### **Section 1: Quorum**

A majority of Board members in attendance at a hearing shall constitute a quorum.

### **Section 2: How a Hearing Shall be Conducted**

Each hearing shall proceed according to the following steps:

- \* Attendance roll call for Board members.
- \* Introductions.
- \* Declaration of what is being heard.
- \* Reading of Conflict-of-Interest Statement.

"Is anyone present aware of a potential conflict of interest in this appeal?"
- \* Complainant presents its case.
- \* Respondent (or representative) presents Respondent's case.
- \* Response time to Respondent's statements - Complainant.
- \* Response time to Complainant's statements - Respondent.
- \* Questions by the Board members to both the Complainant and Respondent.
- \* Complainant and Respondent are excused.

\* In the event additional information or legal counsel is needed, the Board may suspend the hearing until sufficient information is received. All parties will be notified of when the hearing will be resumed.

### **Section 3. Standard of Proof**

The standard of proof for a finding shall be by a preponderance of the evidence presented.

### **Section 4. Final Decision**

At the conclusion of the presentation of the matter, the Board may either move for an immediate decision or take the matter under consideration.

If the Board moves for an immediate decision, the chairperson will record the vote and the reasoning of the majority opinion on the final vote and signature sheet.

Members will review and sign the final vote and signature sheet. The chairperson will be responsible for promptly submitting the summary sheet to the City administrative coordinator for the Board, who will distribute a copy of the final decision to the parties by certified mail or electronically within fifteen (15) days.

If the Board moves to take the matter under consideration, the Board shall render its final decision within thirty (30) days of the final hearing. Upon rendering a final decision, the Board shall immediately forward its decision and the reasoning of the majority of opinion to the City administrative coordinator for the Board, who shall send by certified mail or electronically a copy of the final decision and opinion no later than fifteen (15) days following the date of the final decision.

A final decision shall be effective immediately upon the decision of the Board.

#### Section 5. Record of Proceedings

In addition to the official transcript of proceedings, the record of proceedings shall include the forms completed prior to and at the appeal hearing, any briefing submitted by the parties, any evidence or documentation submitted before the Board, and the Board's final decision,

#### Section 6. Appeal

Either party may appeal the Board's final decision.