Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/8/25 License #/Type: 3572 Beverage Dispensary

Licensee: Gallo's Mexican Restaurant Inc. Address: 8615 Old Seward Hwy

DBA: Gallo's Mexican Restaurant AMCO Case #: AM25-0301

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 03/18/2025 a restaurant endorsement inspection was conducted on the Gallo's Mexican Restaurant. Inv. Murray was informed that a minor Y.O. (DOB 09/12/2008) was employed at the restaurant. Inv. Murray requested to see the Department of Labor Work Permit. The manager told me they don't have it on hand but probably had it at headquarters. Inv. Murray told the manager that it is required before anyone 16 or 17 may begin employment at a licensed premises. They were also missing a required pregnancy warning sign which Inv. Murray gave them a verbal warning for. Inv. Murray told the Managers to email him a copy of the work permit for the employed minor by the end of the day.

Inv. Murray received a work permit for the employed minor on 3/19/2025 from Gallo's Administrator Renee Johnston. The permit was approved on 3/19/2025. Inv. Murray requested employment records for any minor under 17 years old for the year of 2024 to present. After a week with no response a demand letter was sent on 3/28/2025 to produce the employment records of any minor hired between 01/01/2024 and present day. An I-9 for the minor Y.O. was received on 03/31/2025 from Renee Johnston who stated that Y.O. was the only minor hired in 2024. The I-9 showed that Y.O. signed it on 10/02/2024. This means Y.O. was working with out a DOL work permit for five and half months.

This is a violation of AS04.16.049(c)(3)

c) Notwithstanding any other provision in this section, a person 16 or 17 years of age may enter and remain within the licensed premises of a hotel or motel, large resort, golf course, general wholesaler, limited brewed beverage and wine wholesaler, common carrier dispensary, outdoor recreation lodge, or restaurant in the course of employment if
(1) the employment does not involve the serving, mixing, delivering, or dispensing of alcoholic beverages;
(2) the person has the written consent of a parent or guardian; and
(3) an exemption from the prohibition of AS 23.10.355 is granted by the Department of Labor and Workforce Development.

Certified mail: 7021 0950 0001 6766 8684

Prior disciplinary history within the past 5 years:

Gallo's Mexican Restaurant Inc. received two Notice of Violations at License number 2833. One Notice of Violation for expired server education in 2024 and one for Pricing and Marketing and expired server education in 2023.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS MAY RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: C. Murray Received by:

SIGNATURE: Cordell Murray SIGNATURE:

Delivered VIA: Mail Date:

updated 04/07/2025 Tracking #:

GALLO'S
MEXICAN RESTAURANT & CANTINA

May 15, 2025

To whom it may concern:

Regarding License #3572 AMCO Case# AM25-0301

In order to prevent a re-occurrence of violation AS04.16.049, I have spoken with the managers of all restaurants with active liquor licenses. We have discussed the best way to prevent missing any paperwork and permissions for minors employed and have decided that anyone 17 and under must bring all paperwork and work permit signed by a parent or guardian to the office before they begin their employment with us. Managers are supposed to make sure this is done but it has obviously slipped through the cracks. By requiring paperwork to be brought to office before employment can begin it will prevent this from happening again.

Please feel free to contact me with any other questions or inquiries @ 907-771-6060
or renee.gallos@outlook.com.

Thank you,

Renee Johnston

Renee Johnston
Office Administrator

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MAY 19 2025
Dept. of Commerce
AMCO

PO Box 111846, Anchorage AK 99511
Phone (907) 344-2556 Fax (907) 344-6714 email: GallosTK@gmail.com