

FY2023-2025 Budget Overview

Department of Workplace and
Employment Standards (DWES)

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Director

Department of Workplace and Employment Standards



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DWES Creation and Responsibilities

Department was created July 1, 2020:

Labor Standards

- Educate workers and employers on Oakland's labor laws.
- Enforce laws promoting access to/participation in quality jobs.

Every Oakland worker, including BIPOC and women workers who are disproportionately represented in low-wage industries, has access to quality jobs that provide wages, benefits, and working conditions that allow workers to thrive and increase economic security.

Business Inclusion

- Ensure equitable access to the City's contracting opportunities.
- Maximize participation of local and small businesses.

Every small Oakland business, including BIPOC and women owned businesses that have been disproportionately unrepresented in City contracts, has equitable access to City contracts to increase economic security.

Labor Standards

	Provision	Applicability
Wages, Benefits, & Working Conditions	City Minimum Wage, Sick Leave, and Other Employment Standards	Citywide
	Hotel Minimum Wage and Working Conditions	Citywide
	Worker Retention at Large-Scale Hospitality Businesses	Citywide
	Living Wage Ordinance	City Contracts
	Prevailing Wage	City Contracts
	Equal Benefits Ordinance	City Contracts



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Labor Standards

	Provision	Applicability
Job Access & Participation	Local Employment Program	City Contracts
	Fifteen (15) Percent Apprenticeship Program	City Contracts
	Women and Minority Utilization	City Contracts with Federal Funding
	Oakland Army Base	Vertical Construction and Operations



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Labor Standards – COVID-19

	Provision	Applicability
Sick Leave	Protecting Workers and Communities During the Pandemic - COVID-19 Emergency Paid Sick Leave Ordinance	Citywide
Recall	Hospitality and Travel Worker Right to Recall	Citywide



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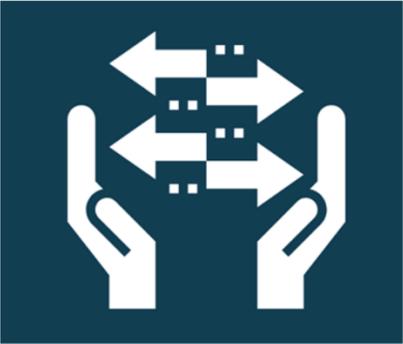
Business Inclusion

	Provision	Applicability
Local and Small Business Participation	Local and Small Business Enterprise Program	City Contracts
Disadvantaged Business Enterprise Participation	Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs	City Contracts with Federal Funding



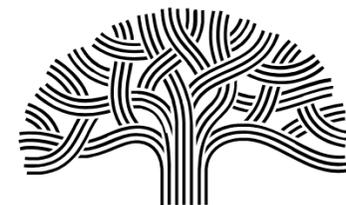
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DWES Divisions and Units

Divisions	Units
<p data-bbox="326 395 713 551">Labor Standards</p> 	<p data-bbox="836 390 1419 446"><u>Citywide Standards</u> Enforces the City’s Minimum Wage Ordinance, Worker Retention at Large-Scale Hospitality Business Ordinance, Hotel Minimum Wage and Working Conditions Ordinance, the Emergency Paid Sick Leave Ordinance, and the Workers Right to Recall Ordinance.</p> <p data-bbox="836 741 1612 797"><u>City Contractor Standards</u> Enforces the Local Employment Program, the 15% Apprenticeship Program, the Living Wage Ordinance, the Prevailing Wage Resolution, and the Equal Benefits Ordinance.</p>
<p data-bbox="349 1028 689 1183">Business Inclusion</p> 	<p data-bbox="836 1022 1609 1078"><u>Contract Compliance Unit</u> Enforces the City’s Local and Small Local Business Enterprise (L/SLBE) Program and the Disadvantaged Business Enterprise (DBE) Program for federally funded transportation related projects.</p> <p data-bbox="836 1303 2159 1360"><u>Business Certification and Engagement Unit</u> Engages in outreach and small business capacity building activities, including certifying businesses as local, small local, very small local, nonprofit local, nonprofit small local, nonprofit very small local, Small Business Administration local business, and local business-locally produced goods enterprises.</p>

Budget Overview

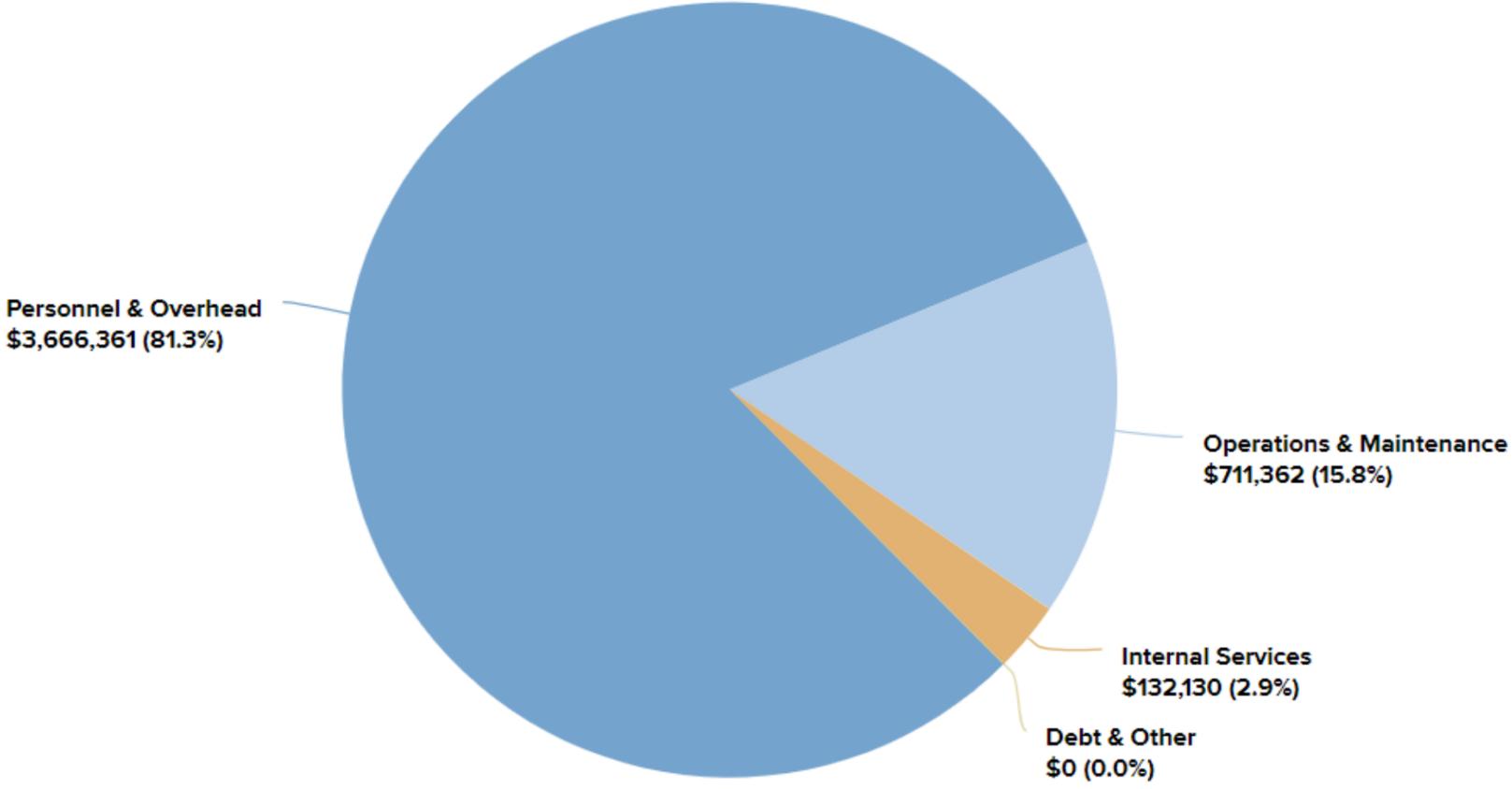
	FY 21-22 Actuals	FY 23-24 Biennial	FY 24-25 Biennial
General Fund	\$3,589,988	\$4,269,095	\$4,775,126
Capital Project Funds	\$244,831	\$240,758	\$261,140
Fiduciary Funds	\$261,140	\$0	\$0
Total Budget	\$3,904,176	\$4,509,853	\$5,036,266
# of Staff	15	17	17



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Expenses

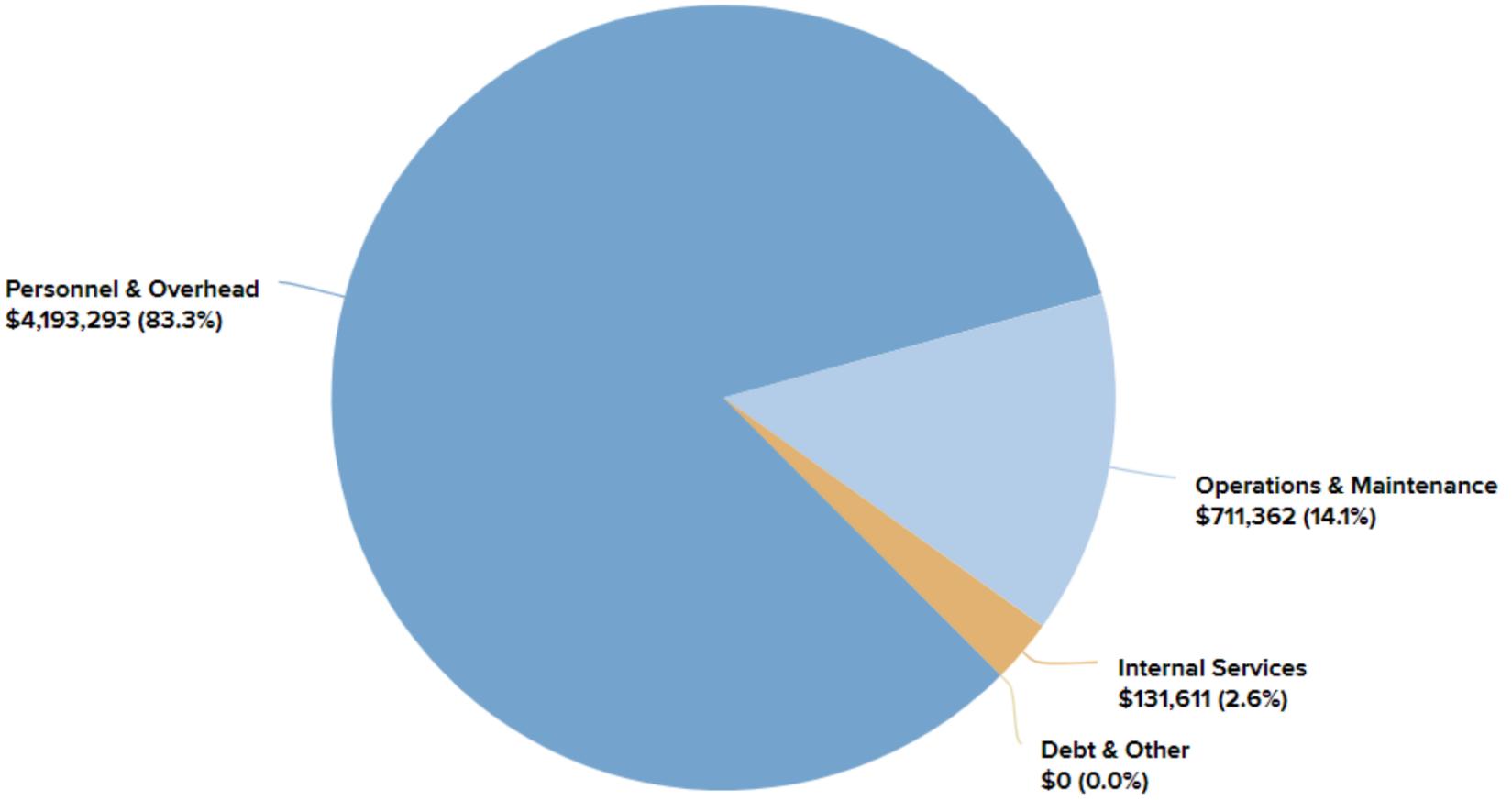
FY 23-24



FY23-24-Biennial



FY 24-25

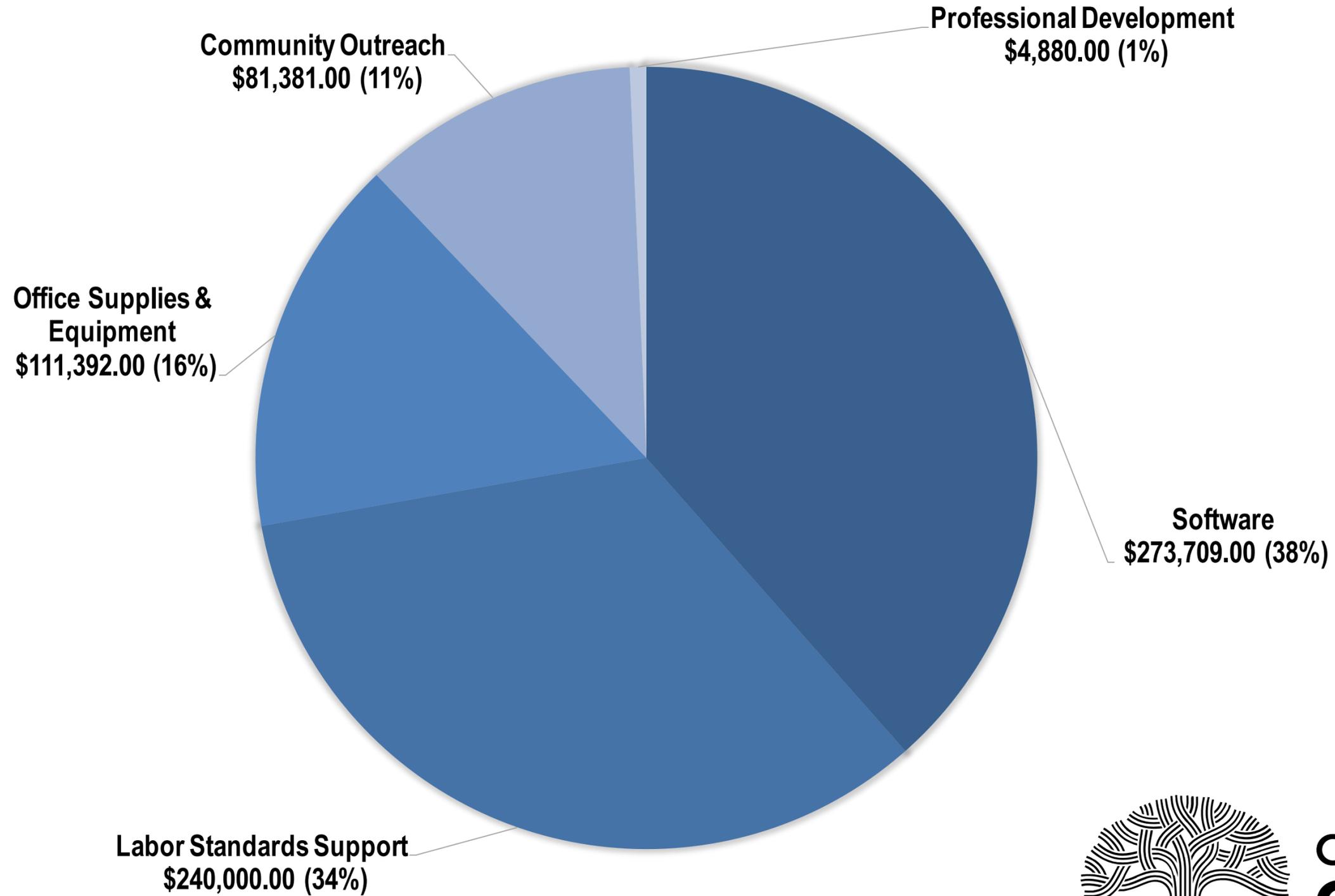


FY24-25-Biennial



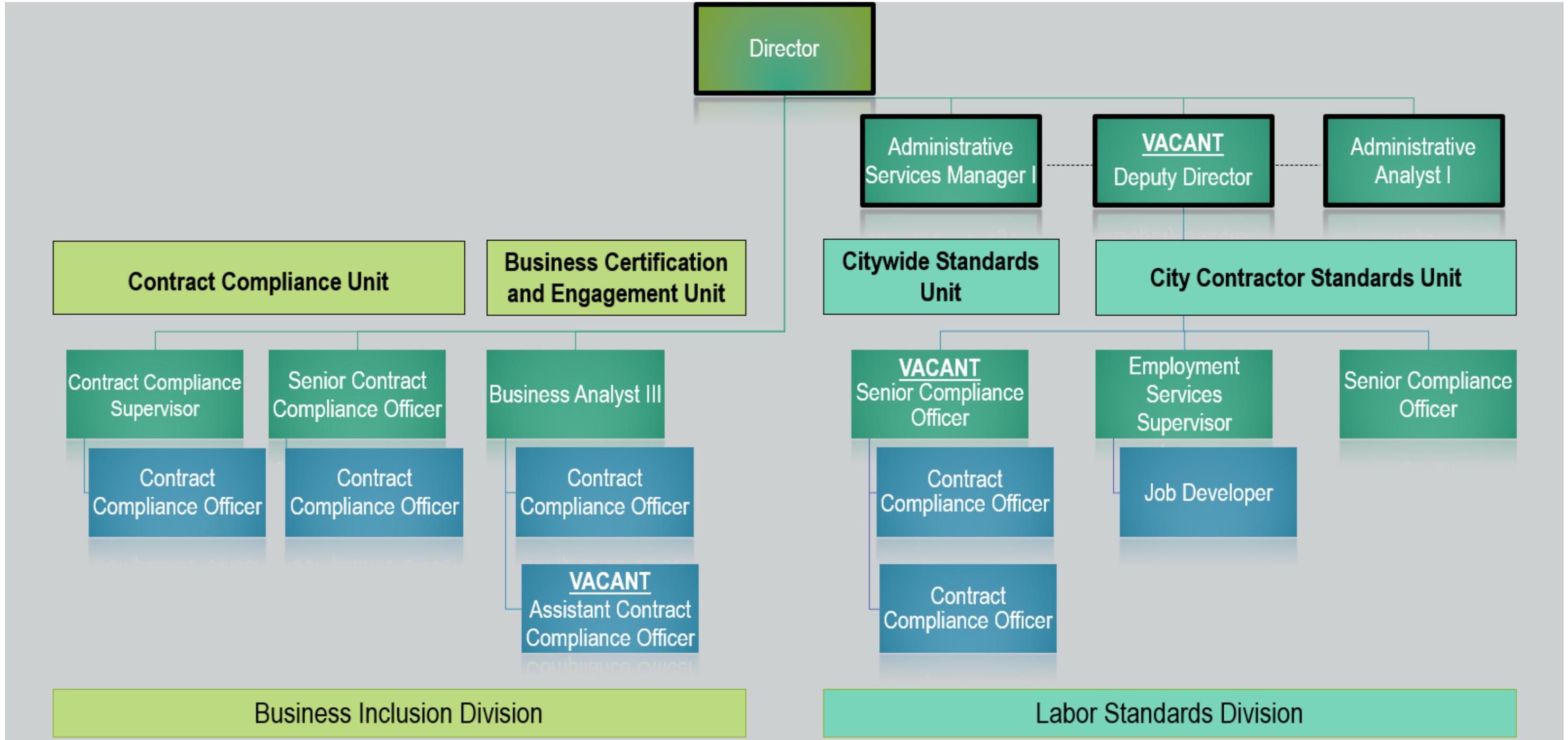
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Operations & Maintenance



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DWES Staffing



DWES | Contracting Process

Planning and Outreach	Development of Opportunity	Advertising	Pre-Proposal Meeting
	<ul style="list-style-type: none"> Consult on Scope/Structure of Contract Evaluate availability of firms and set goals, as applicable Ensure Business Inclusion and Labor Standards requirements are included Certify firms 	<ul style="list-style-type: none"> Support outreach and advertising of the opportunity 	<ul style="list-style-type: none"> Present all Business Inclusion and Labor Standards requirements
Proposals Received and Evaluated	Proposals Received	Proposals Evaluated	Proposal Selection
	N/A	<ul style="list-style-type: none"> Evaluate for responsiveness with requirements 	N/A
Execution of Scope	Scope Executed	Scope Completed	Exit Affidavit
	<ul style="list-style-type: none"> Monitor for compliance of Labor Standards and Business Inclusion requirements 	<ul style="list-style-type: none"> Determine any fees/penalties for not meeting requirements 	

Labor Standards – Citywide Voter Measures

2015



2019



City Contract Provisions

Prevailing Wage

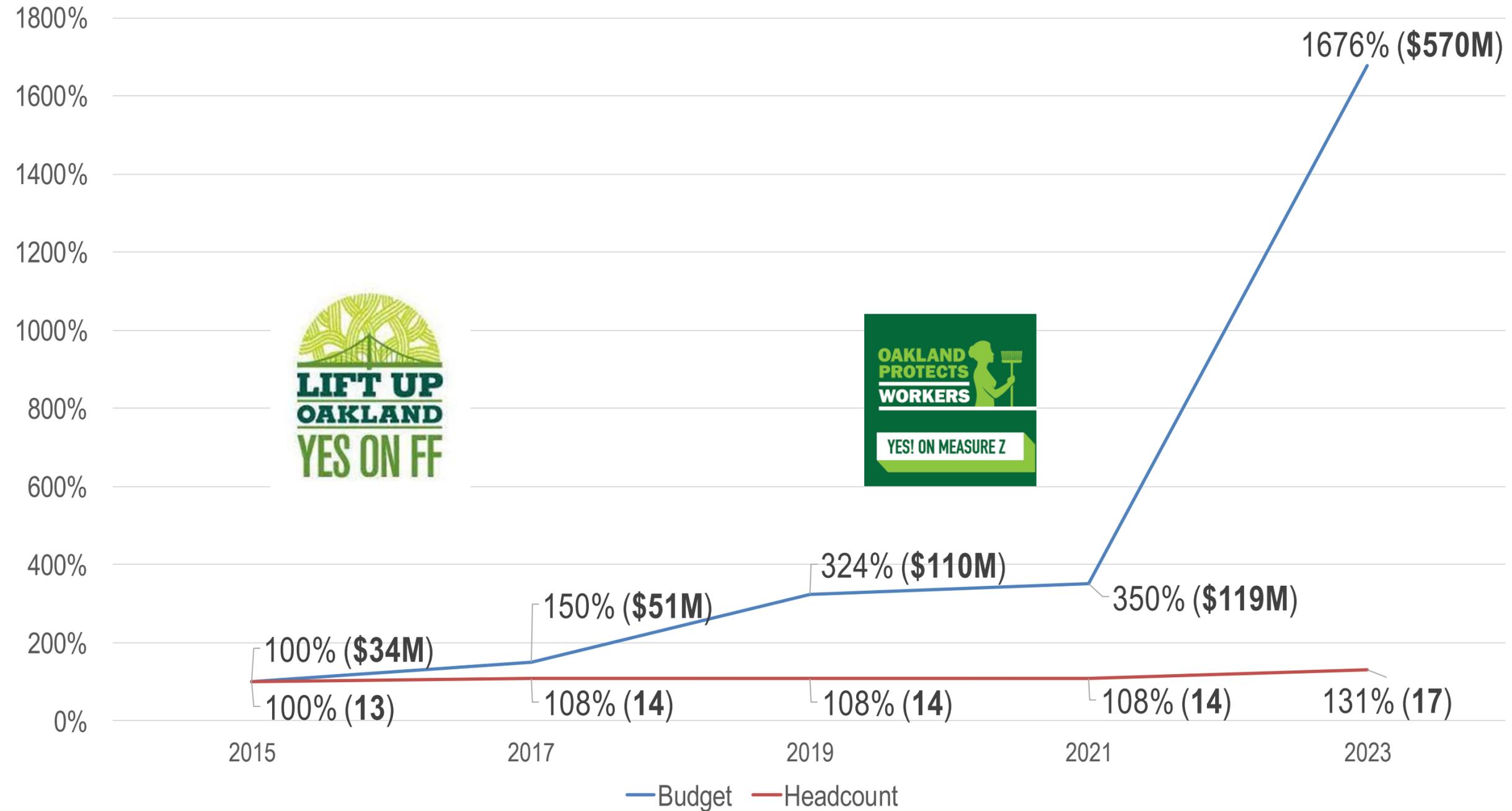
Living Wage

Local Employment | 15 % Apprenticeship

Equal Benefits

DWES Staffing Growth

CIP Budget and Headcount as Percentage of 2015 Amounts



Staffing

17 FTE Budgeted	Units	Challenge/Opportunity	Service Impacts
Labor Standards 8	<ul style="list-style-type: none"> • Citywide (3) • City Contracts (3) • Administration (2) 	Market regularly fails low wage workers → need to implement programs that protect and promote workers	<ul style="list-style-type: none"> • Unrealized Enforcement and Oversight • Unsatisfied Stakeholders (Internal and External) • Limited Performance Metrics
Business Inclusion 9	<ul style="list-style-type: none"> • Compliance (4) • Certification & Community Engagement (3) • Administration (2) 	Contracting mechanisms do not maximize small business participation → need to implement programs that increase participation	



Strategies and Initiatives

Challenge/ Opportunity	Continue with Full Implementation	Policy Development	Change Management
<p>Market regularly fails low wage workers → <i>need to implement programs that protect and promote workers</i></p>	<ul style="list-style-type: none"> • Measure FF (Day Laborers & Process) • Measure Z (Square Footage and Panic Buttons & Process) • Resolution 86446 CMS (2016): LEP Expansion to Professional Services, Prioritizing Disadvantaged Workers and Workers from Specific ZIPS, and Union Coordination 	<ul style="list-style-type: none"> • CWA/PLA Strategy to Benefit Workers and Small Businesses • Pipeline to Jobs on City Contracts • Fines and Penalties • Co-enforcement with Community (bolster contract with trusted messengers) 	<ul style="list-style-type: none"> • Shared accountability and transparency – internal and external • Data-culture • Treating compliance as the floor and not the outcome
<p>Contracting mechanisms do not maximize small business participation → <i>need to implement programs that increase participation</i></p>	<ul style="list-style-type: none"> • OMC: 2.04.045 - Preferred Small Local Business ("PSLB") program. • Oakland Charter, Section 808: Disparity Study Every Two Years • L/SLBE Program inconsistencies 	<ul style="list-style-type: none"> • Certification Requirements • Community Advisory Committee • L/SLBE Program Overhaul • Building Community Consensus 	

LEARN MORE

For more information on the City's policies that stimulate the fair and equitable involvement of Oakland Businesses, Workers, and Residents:

[https://www.oaklandca.gov/departments/
workplace-employment-standards](https://www.oaklandca.gov/departments/workplace-employment-standards)