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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Deputy City Administrator

SUBJECT: Local Minimum Wage Law
Six-Month Report

DATE: October 22, 2015

City Administrator Approval

Date:

10/29/15

RECOMMENDATION

Staff Recommends That The City Council Accept This Informational Report (Six-Month Update) Following The Implementation Of The Voter Approved Local Minimum Wage Ordinance ("Measure FF").

EXECUTIVE SUMMARY

This is an informational report provided to the City Council on the implementation of Measure FF – Local Minimum Wage for the first 6-months of its implementation beginning March 2, 2015. This report also provides information about the January 1, 2016 increase to the Oakland Minimum Wage to \$12.55 per hour in accordance with the annual Consumer Price Index for Urban Wage Earners and Clerical Workers (August-to-August change).

BACKGROUND / LEGISLATIVE HISTORY

On November 4, 2014, the voters overwhelmingly (82%) approved Measure FF, which, in part, raised the minimum wage in Oakland to twelve dollars and twenty-five cents (\$12.25), effective March 2, 2015 (also referred to as the Local Minimum Wage ("LMW") law). Thereafter, Oakland's minimum wage shall be adjusted annually on the first of January in accordance with the annual Consumer Price Index for Urban Wage Earners and Clerical Workers ("CPI-W") for the San Francisco-Oakland-San Jose, CA metropolitan statistical area, if there is an increase in the August-to-August CPI-W. If the CPI-W does not increase from August-to-August, minimum wage will remain at the same rate. Employees who perform at least two hours of work in a particular workweek within the City, including part-time, temporary and seasonal employees, must be paid at least the minimum wage.

Additionally, Measure FF requires that beginning on March 2, 2015, employers must provide paid sick leave to any employee who performs at least two (2) hours of work in a particular workweek within the geographic boundaries of Oakland, including part-time, temporary and seasonal employees. Employees shall accrue one hour of paid sick leave for every thirty (30) hours of work. Employers may cap accrued paid sick leave earned by an employee at forty (40) hours for small businesses (fewer than 10 workers who work for compensation during a given

Item: _____

Finance and Management Committee
November 10, 2015

week) and at seventy-two (72) hours for other employers. However, employers may set a higher cap or no cap at all. Accrued, unused paid sick leave carries over from year to year, but is limited to the aforementioned caps. California implemented its own paid sick leave law which went into effect July 1, 2015. Since Oakland's Paid Sick Leave law is predominantly more generous to Oakland workers, employers are obligated to provide employees paid sick leave in accordance with Measure FF. Employees may use paid sick leave for the employee's own illness, injury or to receive medical care, treatment or diagnoses. Additionally, employees may use their accrued paid sick leave to care for family members (child, parent, legal guardian or ward, sibling, grandparent, grandchild, spouse, registered domestic partner), or other designated person. Employers need not payout unused, accrued paid sick leave at the time of separation of employment.

Measure FF also requires that hospitality employers (such as hotels, restaurants, and banquet facilities) who collect service charges from customers must pay the entirety of those charges to the hospitality workers who performed those services for which the charge was collected. A hospitality worker is any individual who works for a hospitality employer and who performs a service for which a hospitality employer imposes a service charge. A service charge includes all separately designated amounts collected by a hospitality employer from customers that are for service performed by hospitality workers or are described in such a way that customers might reasonably believe that the amounts are for those services, including without limitation to charges designated as a "service charge," "delivery charge," or "portage charge."

Employers are prohibited from acts of retaliation -- discharging, reducing compensation or otherwise discriminating against any person who makes a complaint pursuant to Measure FF. Employers must post and give written notification of these rights to each current employee and to each new employee at the time of hire. In some cases, notice must be given in languages other than English.

On February 19, 2015, the City Council adopted interpretive regulations for the implementation of Measure FF through Resolution No. 85423, C.M.S., and requested staff to provide a six-month update on implementation of the LMW.

ANALYSIS

Upon passage of Measure FF, City staff from various departments have been working to ensure proper implementation of the new LMW, including the minimum wage rate, paid sick leave and other provisions, internally within the City organization and externally as it relates to Oakland businesses and workers.

As required by the LMW law and per the interpretive regulations, the Oakland minimum wage shall be adjusted annually on the first of January in accordance with the annual CPI-W for the San Francisco-Oakland-San Jose, CA metropolitan statistical area, if there is an increase in the CPI-W – using the August to August data. The CPI-W increase as of August 2015 that shall be applied is approximately two and one-half percent (2.47%), which brings the LMW up 30 cents from \$12.25 to \$12.55 per hour, beginning January 1, 2016.

Employers are required to provide notice and prominently display posters on the new Minimum Wage rate to employees by December 15, 2015. Notices must be in languages spoken by more than 10% of employees. The City will provide notification posters in English, Chinese, Spanish and Vietnamese, which are available for download at www.oaklandnet.com/minimumwage. Additional information on outreach efforts related to the increase in the LMW effective January 1, 2016 is discussed below.

1. Internal Implementation

Internally, the City Administrator's Office worked with Employee Relations, the Human Resources Department, the Office of the City Attorney ("OCA") and the Payroll division to ensure the City is in compliance with Measure FF. Pay ranges for seven classifications in the Office of Parks and Recreation ("OPR") were adjusted to meet the minimum wage and to address any compaction. These wages were incorporated into the Fiscal Year (FY) 2015-17 adopted budget. Sick leave accrual rates were also adjusted for exempt part-time (formally referred to as temporary part-time) employees. Employee Relations met with SEIU 1021 on February 25, 2015 to discuss the impact of Measure FF on its members. SEIU is supportive of this new law and only posed a technical question regarding sick leave accrual retention for seasonal part-time positions. Accrued sick leave is kept on the books for seasonal part-time positions up to four years, as long as they remain in the City payroll system.

It was anticipated that the number of job training opportunities would decrease as a result of the higher minimum wage. Workforce Development service levels for FY 2013-14 WIA year round programs provided 219 youth with employment at a pay rate of \$10.00 per hour. Summer funding through the Oakland Housing Authority (OHA) and fundraising efforts provided an additional 350 opportunities for youth employment at the same pay rate (OHA: 300/Fundraising: 50), bringing the total for FY 2013-14 to 569 youth served and administered by Workforce Development. As a result of Measure FF increase of the minimum wage to \$12.25, service levels in FY 2014-15 were decreased for WIA year round programming by 20% to 175 youth opportunities. Summer service levels were also impacted and reduced for the OHA by 13% to 260 youth work experiences opportunities. However, as a result of the efforts of the Mayor's fundraising and City Council's appropriation, there were 205 additional youth opportunities developed for a total of 640 youth served and administered by the Workforce Development in FY 2014-15 -- resulting in an overall increase to employment opportunities at the new minimum wage of 12.5% (from 569 to 640 youth served) between FY 2013-14 to FY 2014-15.

Impacts within various Human Service Department (HSD) programs were also expected. The ASSETS Senior Employment program reduced the targeted annual number of participants served in the Senior Community Service Employment Program (SCSEP) from 132 in FY 2014-15 to 109 in FY 2015-16, a reduction of 23 SCSEP participants. However, the General Purpose Fund (GPF) supplement provided in the FY 2015-16 budget is anticipated to mitigate the impact on low income seniors. Based on feedback from the grantor, hours of service were not reduced.

The impact of Measure FF on the Golden State Works (GSW)/CA Department of Corrections and Rehabilitation (CDCR) program would have resulted in the provider (Center for Employment Opportunities) needing to decrease the number of work crews from six to four, effectively eliminating up to 16 transitional work positions, serving upwards of 60 people annually. This was

mitigated by CDCR amending the contract to award an additional \$435,387, allowing the provider to maintain contracted participation levels, while also meeting the adjusted minimum wage of \$12.25 per hour.

A survey was conducted for all HSD grantees and the results were used to inform the outcomes provided in **Attachment A**.

Finally, accrued sick leave for annuitants was an outstanding issue in February 2015. On July 13, 2015, Governor Brown signed AB 304 (Gonzalez), Chapter 67 of the Statutes of 2015, which revises the definition of employee. AB 1522 now excludes retired annuitants from being eligible for sick leave. This is how the City treated annuitants since the onset of Measure FF, so it is already in compliance with this law.

2. External Implementation

The external implementation team is comprised of the City Administrator's Office, including Communications and the Contracts and Compliance division ("CC"), the Economic & Workforce Development Department ("EWD"), and the Office of the City Attorney ("OCA").

Outreach and Education

As reported in February 2015, the City established a website, email address and phone line for inquires on the LMW. Frequently Asked Questions ("FAQ"), are also available online and updated as needed. The interpretive regulations approved by the City Council are also available on the City's website. Since March 2, 2015, City staff have responded to approximately 500 minimum wage emails and voicemails.

For the January 1, 2016 LMW increase, the City is implementing similar strategies as with the initial minimum wage of \$12.25, to inform businesses and employers of the new wage rate. A postcard notification with the new minimum wage rate of \$12.55 will be mailed to all businesses in the Business License Tax database in November. A follow-up notice directed at all businesses will also be included in the Business License Tax renewal mailing in late December. Additional postcards and flyers will be printed for distribution throughout the community. The City will include information on the LMW January 1, 2016 increase in a full page ad in the Oakland Tribune, as well as various other publications (e.g., Oakland Post, Sing Tao Daily, Vision Hispana, etc.). On October 26, 2015, the City issued a press release on the new minimum wage increase and staff will work with Councilmembers to include information in newsletters and other communications. The new LMW rate information will be emailed through various databases and continually posted on social media. Finally, a slide show that runs on KTOP, cable channel 10, publicizing Measure FF with information on resources, will be updated.

The official notices or posters on Measure FF that are available on the City's website will be updated for the January 1, 2016 effective date. The City Administrator is authorized to prepare sample notices regarding employee rights under Measure FF, and business' use of such postings will constitute compliance with Oakland Municipal Code section 5.92.050(D). These notices will be translated by the City into Spanish, Chinese and Vietnamese.

The Business Assistance Center (BAC) is currently scheduling a series of workshops for Oakland businesses on the LMW increase effective January 1, 2016. The City is collaborating with the Alameda County Small Business Development Corporation (SBDC); Oakland Business Development Corporation (OBDC); and Christine Noma from Wendel Rosen Black & Dean to offer a series that will begin with a Spanish Language Workshop on Thursday, October 29, 2015; here at City Hall. A full list of proposed dates is provided in **Attachment B**. In addition to the upcoming workshops, the BAC has expanded its Monthly Legal Clinic to include minimum wage topics and consultations.

The City also plans to host workshops for Oakland workers in November and December (check back for dates on the City's website: www.oaklandnet.com/minimumwage). Furthermore, on October 20, 2015, the City Council passed a resolution to prioritize available funding totaling \$240,000 for community-based outreach and enforcement assistance for Oakland workers specific to the LMW law. The City has begun drafting the Request for Proposals (RFP) to contract this work as soon as the funding becomes available.

In April 2015, CC began conducting door-to-door employer and employee outreach visits in an effort to communicate the details of Measure FF, one on one with informal conversations regarding the application and enforcement of Measure FF. So far these efforts have covered the entire Chinatown district and are currently underway in the Fruitvale business district. Upon completion of the Fruitvale business district, compliance staff will move to the Downtown district. Please see **Attachment C** for a list of businesses/addresses visited as of mid-October.

Complaint Investigations and Non-Compliance Enforcement

From March 2, 2015, when Measure FF took effect, to October 16, 2015, the City has received 22 complaints. Thus far, CC has resolved three (3) complaints, including two (2) for Minimum Wage violations and one (1) for a Paid Sick Leave violation. Of the remaining 19 open cases, seven (7) cases are for Minimum Wage violations, six (6) cases allege retaliation by employers, five (5) are for Paid Sick Leave violations and one (1) is for a Service Charge violation.

The OCA and CC have collaborated in developing enforcement regulations. These regulations establish procedures for handling of complaints, notifying businesses of a complaint, documents that will be required to authenticate a complaint and steps to achieving compliance (i.e., warning, fine, appeal, etc.). The City Administrator is expressly tasked with these obligations in Measure FF.

The enforcement regulations are consistent with the following procedures. Upon receipt of a written complaint, CC initiates the investigation process. The Compliance Officer issues a written notice to the employer that a complaint was filed and requests personnel and wage documents. Alternatively, CC will immediately conduct an unannounced site inspection and make a formal demand for documents and interview all workers on site. Employers are given the opportunity to provide a written response to the complaint. Finally, and upon compiling and reviewing the personnel/wage documents and witness interviews, CC will issue a decision confirming the violation and awarding back pay and penalties or dismissing the complaint.

CC staff work closely with the City Attorney's Office in conducting investigations and enforcement actions. The assigned attorneys review all written correspondence and

enforcement actions. In addition, the San Francisco labor compliance staff continues to be invaluable to the City's investigation and enforcement efforts.

Impacts on Businesses

Due to the lag time in reporting of sales tax revenue, it's not clear what impact Measure FF has had on sales tax, which is an important indicator of business activity. However, data from the State of California's Employment Development Department ("EDD") indicates that Oakland's unemployment rate has fallen from 6.1% in February 2015 to 5.3% in September 2015. In the same time period, employment has risen from 196,400 to 199,900.

Additional insight can be provided in the results of a business survey conducted by a Mills College graduate student in July 2015 aimed to find out how Measure FF affected employment, business location and prices. More than a 110 Oakland businesses responded from a wide range of industries and geographic areas. Nearly half (45%) of the respondents said they had made changes as a result of the Minimum Wage hike. Only 4% reported a decrease in the number of full-time employees, while 17% reported an increase in the number of full-time employees. More than 20% of respondents used City services to respond to the requirements of Measure FF. The survey results were consistent across different geographic areas within Oakland. Only two respondents suggested changes in the Minimum Wage law as an important way that the City of Oakland can support businesses. The conclusion of the report from Mills College is included below. The full report is available as **Attachment D** to this report.

Oakland Business Conditions Survey – Conclusion

The survey results suggest that between November 2014 and July 2015 many Oakland businesses have increased prices, and have experienced increased payroll costs. 70% of respondents reported increased payroll costs, and of those 71% cited higher wages as the reason. Of the 8% of respondents who reported decreased payroll costs, 75% reported that their payroll costs had fallen due to a reduction in the number of employees or the number of hours. The minimum wage hike appears to have been a significant factor in driving these changes. When specifically asked whether they had made changes as a result of the minimum wage hike, 45% of respondents answered yes. These changes have been particularly prevalent in the food services industry. Our results provide no evidence of greater impacts in some neighborhoods than in others.

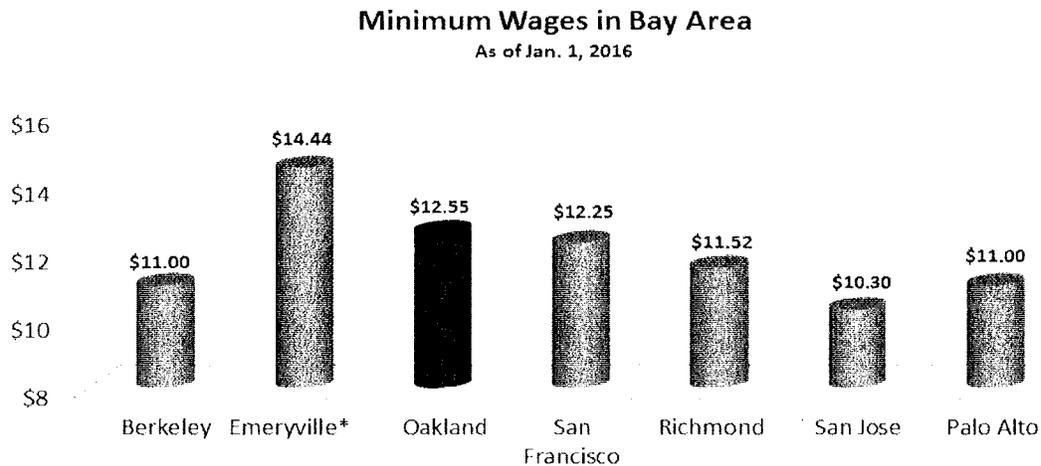
At the same time, when Oakland businesses were asked about the greatest challenges that they face, they cited other challenges more frequently than the city's minimum wage. The general business environment and crime & safety were the most frequently cited challenges. Non-labor costs, such as rents and taxes, were cited by many respondents as well. Nearly half of respondents (47%) have considered moving or expanding outside of Oakland. When asked how the City of Oakland can help businesses, respondents provided a broad array of suggestions with safety and policing at the top of the list. Only two respondents suggested that the City should make changes in the minimum wage law.

Impacts on Nonprofit Community

Urban Strategies prepared a report called *Minimum And Living Wage Analysis* dated April 2015 (**Attachment E**). The focus of this report was on impacts to nonprofit groups that operate training programs, and/or employ low or minimum wage workers. The report studied whether other jurisdictions with local minimum or living wage laws implemented mitigation activities for these nonprofits groups and if any could be applied in Oakland. The study concluded that Oakland's LMW was unique as there were no exemptions or phase-in period built into the ordinance, and since it was a voter approved measure, it could only be amended via voter initiative.

3. Minimum Wage Laws Around the Bay Area

While Oakland continues to be a pioneer in addressing social needs, other Bay Area cities have also enacted Minimum Wage legislation. Annual wage increases in neighboring cities arrive later in 2016. Rate increases slated to take effect on July 1, 2016, will increase both Emeryville's and San Francisco's minimum wage by 75¢ to \$13.00 per hour. Large businesses in Emeryville will have a minimum wage estimated at \$14.82, depending on local CPI. Below is a chart illustrating minimum wages effective in 2016 for surrounding cities.



*\$12.25 for small businesses

The State of California's minimum wage is also increasing to \$10 per hour on January 1, 2016. Earlier this year, a 2016 statewide ballot initiative was approved, which means supporters can start collecting signatures. This proposal is backed by the Service Employees International Union (SEIU) and United Healthcare Workers West labor groups. The measure would increase the state's minimum wage "by \$1 an hour annually until it reaches \$15 an hour in 2021." A bill in the California Legislature, Senate Bill (SB) 3 (Leno), would increase the state's minimum wage "to \$11 in 2016 and \$13 in 2017, then tie the minimum wage to inflation starting in 2019." SB 3 is now a two-year bill that will be considered when the legislature reconvenes in 2016.

FISCAL IMPACT

The FY 2015-17 adopted budget included employee wages and sick leave accrual rates that comply with the LMW. Also, the negotiated cost of living increases of four percent (4%) effective July 1, 2015 recently approved by the City Council for previously impacted classifications are sufficient to address the updated LMW of \$12.55 per hour effective January 1, 2016. The current budget also included a one-time allocation of \$150,000 for the Contracts and Compliance division for temporary personnel or contract support for implementation of the LMW. As discussed above, the City Council recently approved a resolution to prioritize \$240,000 in funding, if it becomes available during the current fiscal year, for community-based outreach and enforcement assistance for Oakland workers.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for this informational report beyond the standard City Council agenda noticing procedures. See above "Analysis" section for current and planned outreach efforts related to the January 1, 2016 LMW increase.

COORDINATION

This report was prepared in coordination with the Office of the City Attorney, the Contracts and Compliance division, the Economic and Workforce Department, and various other City departments.

SUSTAINABLE OPPORTUNITIES

Economic: As communicated in previous Council reports, staff anticipated that the minimum wage increase would raise the wages of an estimated 57,000, or twenty-seven percent (27%), of the workers in Oakland, half of whom are Oakland residents. Monthly employment figures issued by State EDD since the increase went into effect estimate that the number of jobs in Oakland has increased since March of 2015, from 196,600 to 199,900, while unemployment has decreased, from 5.9% to 5.3%. While these numbers indicate the overall health of the economy, more refined data on revenue impacts or sector-based employment will not be available until next year.

Environmental: There are no environmental opportunities associated with this report.

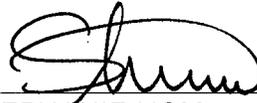
Social Equity: The voter-approved initiative improves reduces the income disparity between Oakland's low-wage earners and the remainder of the working population. The initiative also improves social equity with regards to age, race and gender because the minimum wage-earning workforce is proportionately younger, includes more women and persons of color compared with the Oakland workforce overall.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council accept this informational report (six-month update) following the implementation of the voter approved local Minimum Wage Ordinance ("Measure FF").

For questions regarding this report, please contact Sarah T. Schlenk, Administrative Manager, at (510) 238-3982.

Respectfully submitted,



STEPHANIE HOM
Deputy City Administrator

Prepared by:
Sarah T. Schlenk, Administrative Manager
City Administrator's Office

Attachments (5):

- A – Human Services Grantees Survey Summary
- B – Business Assistance Workshop Dates
- C – Contracts & Compliance Door to Door Outreach Summary
- D – Mills College Business Conditions Survey
- E – Urban Strategies "Minimum And Living Wage Analysis" Report

A survey was conducted for all grantees and the results were used to inform the following outcomes:

AC-OCAP

Civic Corp is in compliance with Measure FF and there is no noticeable impact to AC-OCAP.

Oakland Unite grantees for both youth and adult programs were required to reduce either the number of clients served or the overall hours of paid work to align with the new law. However, since the grant agreements were ending by December 2015, the on-going impact was minimal.

The following provides details:

Oakland Unite (Youth Employment)

The impact of Measure FF on the Youth Employment programs from March 2015 to June 2015 resulted in the following:

- Youth Employment Partnership Inc. needed to decrease the hours of youth who completed work experience internships from 45 to 35 hours.
- Youth Uprising witnessed a decrease in the number of youth completing 100 hours of internship from 24 to 14.

For 2015 Continuation Grants (July 1-Dec.31) the following agencies were given additional funds to maintain the original contracted participation levels while meeting the adjusted minimum wage:

- Youth Uprising - \$6,258
- Youth Employment Partnership - \$7,233
- Youth Radio - \$2,821

Oakland Unite (Young Adult Employment)

One adult employment program provider (Civicorps) absorbed the added expense. The other providers experienced a decrease in the amount of clients served between March 2nd and June 30th, as follows:

- Youth Employment Partnership - 3
- Youth Uprising - 1
- Center for Employment Opportunities - 3
- Private Industry Council - 2
- VOA Crew - 2

For 2015 Continuation Grants (July 1-Dec.31) the following agencies were given additional funds to maintain the original contracted participation levels while meeting the adjusted minimum wage:

- Youth Employment Partnership - \$3,720
- Youth Uprising - \$5,890
- Center for Employment Opportunities - \$2,892
- Private Industry Council - \$5,063
- VOA Crew - \$9,065

OFCY

Most programs were not affected by Measure FF and there was no noticeable impact on performance outcomes.

Upcoming Employer Minimum Wage Workshops:

Thursday, October 29th, 1:00 to 4:00pm

Business Workshop in Spanish for Spanish Speaking Employers: Including Minimum Wage Employer Requirements effective January 1, 2016.
(Presented by Alameda County Small Business Development Center and Chase Bank)
Oakland City Hall, Hearing Room 3, 1 Frank H. Ogawa Plaza

Thursday, November 12th, 10:00am to Noon

Mastering Oakland's New Employment Laws Workshop: Including Minimum Wage Employer Requirements effective January 1, 2016. (Presented by Alameda County Small Business Development Center and Wendel Rosen Black & Dean LLP)
Oakland City Hall, Hearing Room 1, 1 Frank H. Ogawa Plaza

Wednesday, December 2nd, 1:00 to 3:00pm

Mastering Oakland's New Employment Laws Workshop: including Minimum Wage Employer Requirements effective January 1, 2016. (Presented by Alameda County Small Business Development Center and Wendel Rosen Black & Dean LLP)
Oakland City Hall, Hearing Room 1, 1 Frank H. Ogawa Plaza

Wednesday, December 16th, 1:00pm to 3:00pm

Mastering Oakland's New Employment Laws Workshop in Cantonese for Chinese Speaking Employers: Including Minimum Wage Employer Requirements effective January 1, 2016. (Presented by Alameda County Small Business Development Center, and Wendel Rosen Black & Dean LLP)
Oakland City Hall, Hearing Room 1, 1 Frank H. Ogawa Plaza

Minimum Wage Outreach/Enforcement Report

Date	Address	Comments/Notes
*Chinatown Block-by-Block 471 businesses visited		*Chinatown employees reached: Approximately 1850
As of 4/3/2015	410 7th Street-Parking	Asked City to give more opportunities to small businesses, not necessarily big corporations 2 businesses complained, negative impacts and Measure FF hurting businesses Business owners can't if they do not live in Oakland and it is not fair to them Two banks have already posted flyers (Chase and Citi)
As of 4/17/2015	376 8th Street 822 Franklin-Suite 1 373 9th Street-Suite 201 373 9th Street-Suite 301 373 9th Street-Suite 501	Business owner asked what the benefits are of Measure FF for the business Suite 1- Business owners indicated City should have informed them earlier Asked if the City will do statistical reports on how LMW affects businesses Staff indicated positive response to LMW Tax/accounting service-is distributing information to clients
As of 4/24/2015	Suite 160 Renaissance Plaza Suite 125 Peony Restaurant	Asked if anyone will come back to check if flyers are posted Business owner indicated they will not post the Minimum Wage information. They also said they themselves do not make the minimum wage as owners . They said they Already posted Minimum Wage info
As of 5/6/2015	302 8th Street 868 Webster	Indicated a negative comment that they cannot make the minimum wage as owners. (Lee's company) Already posted in Chinese (China International Travelers)
As of 5/17/2015	315 9th Street 827 Harrison 275 7th Street 281 8th Street	Had posted Chamber of Commerce letter for the wage increase (Sweetheart) Attended Chamber of Commerce meeting March 2nd Family Bridge-Already posted. Needed Service Charge section. Already informed by CPA.
As of 5/28/2015	251 9th Street 900 Webster Street 938 Webster Street 303 10th Street 301 10th Street 304 10th Street	Aware of ordinance, already did payroll (Music Café) Employee comment-good for our benefits, heard from news (East West Bank) Asked how long they needed to post the ordinance Went to Chamber meeting and learned of LMW Received LMW notices, but did not post Received letter from chamber on LMW

Minimum Wage Outreach/Enforcement Report		
Date	Address	Comments/Notes
	328 10th Street 328 10th Street	Asked about wage increase. tied to CPI, gave BAC flyer, complained about high rent Asked about wage increase CPI, when will City notify them? (Shan Dong)
As of 6/4/2015	1006 Webster 308 11th Street	Received LMW information from accountant Already posted
As of 7/3/2015	1101 Webster 1188 Franklin	Indicated that the area is decreasing in activity, businesses are shutting down, the minimum wage rate is not affecting the shut down. The police are not doing anything. Business was glad outreach was being performed
As of 7/24/2015	257 12th Street 259 12th Street	Already posted (Sunrise Supplies) Already posted (Spa Lounge)
As of 9/3/2015	993 Jackson Street	Great for people in Oakland (J and J Insurance)
As of 10/2/2015	237 10th Street 1111 Alice Street 149 11th Street	Asked if can use Vacation to sub for PSL (Victor Pang and Associates) 3 employees, posted English, needed Chinese/Spanish (Sincere Home Décor) They were very glad we were doing outreach (Oakland Auto Body & Frame)
*Fruitvale Block-by-Block <u>133</u> businesses visited		*Fruitvale employees reached: Approximately <u>1904</u> Note: Fruitvale Block by Block is still in progress
As of 8/4/2015	2812 International Blvd.	Said they were independent contractors (Galaxy Beauty Salon)
As of 10/6/2015	1470 Fruitvale	Director willing to collaborate/get word out (Spanish Speaking Citizens Foundation)
	1470 Fruitvale: Suite 5	Small business development non-profit -- this office will get the word out to their clients. (A New America)
As of 10/15/2015	3204 International	Pays by commission (Maria's Beauty Salon)

Oakland Business Conditions Survey: Impact of Measure FF

July 2015 Survey

October 19, 2015

Sepi Aghdaee, MPP/MBA Student

Carolyn Sherwood Call, Associate Dean & MBA Academic Director

Lorry I. Lokey School of Business and Public Policy, Mills College

oakbusinessconditionssurvey@gmail.com

Executive Summary

The purpose of this report is to share the results of an online survey conducted to explore how Measure FF, Oakland's minimum wage law, has affected employment, business location, and prices in the context of the overall business environment in Oakland, whether such impacts are concentrated in specific industry sectors or geographic regions, and how the City of Oakland can better support businesses. The online survey of Oakland businesses was conducted in July 2015 resulting in 113 responses. The findings of the survey provide valuable insights, but they are limited by the number of respondents which does not represent the full array of Oakland businesses.

Recent Changes

- 70% (72/103) of respondents reported increases in their payroll costs between November 2014 and July 2015.
 - 24 (33%) of the 72 respondents with payroll increases cited the minimum wage as the reason.
 - 71% (51/72) of businesses with increased payroll, who provided a reason, cited higher wages as the reason.
 - Of the 8% (8/103) of respondents who reported decreased payroll costs, 75% (6/8) reported that their payroll had fallen due to a reduction in the number of employees or the number of hours.
- 51% (55/107) reported increases in prices between November 2014 and July 2015 with 30% reporting price increases of 5% or more.
 - Of 55 businesses with price increases 10 (18%) cited measure FF as the reason.
- 45% (47/ 105) answered yes when asked if they had made any changes as a result of the minimum wage law.
 - 34% (16/47) reported raising their prices.
 - 21% (10/47) reduced hours.
 - 13% (6/47) added paid sick leave.
 - 6% (3/47) made reductions to their staff.
- Within the pool of respondents food services industry reported making the most changes in response to the minimum wage increase.
 - 74% (20/27) made changes as compared with 30% (7/23) in retail trade and 36% (20/55) in all other industries.
 - 85% (23/27) of food service establishments reported increasing payroll costs between November 2014 and June 2015.
 - 59% (16/27) of respondents in the food services industries identified the minimum wage law as the reason their payroll costs have increased.
 - 78% (22/28) of respondents in the food services industry hiked prices as compared with 35% (8/23) in retail trade.
 - 39% (11/28) of respondents in the food industry cited the minimum wage increase as their reasoning for increasing prices, as compared to 2% (1/51) in all other industries and none in the retail trade.
- Responses to the minimum wage law did not appear to be concentrated in any particular neighborhoods within Oakland.

Business Environment

- 59% (66/111) of businesses plan to make changes in the next 6 months.
 - Of the 66 business that plan to make changes, 33% (22/66) plan to increase prices, 18% (12/66) plan to change the number of workers, and 15% (10/66) plan to increase wages.
- 47% (53/112) of respondents have considered either moving or expanding outside of Oakland. These businesses were asked an open-ended question about the changes they were considering, and of the 53 business that have considered moving or expanding outside of Oakland:
 - 30% (16/53) have considered expanding outside of Oakland.
 - 13% (7/53) cited the high cost of doing business in Oakland.
 - 9% (5/53) believe Oakland is not a business friendly city.
 - 9% (5/53) cited the high rents in Oakland.
 - 8% (4/53) cited the minimum wage increase.
- Businesses were asked to share open-ended responses identifying their biggest challenges. There were 154 responses as many businesses cited multiple challenges. The minimum wage was cited by 6% (9/154) of respondents. The most frequently cited challenges were:
 - Need for a more business friendly city, 12% (19/154)
 - Crime and safety, 11% (17/154)
 - Marketing and advertising, 8% (13/154)
 - Employee recruitment, training and retention, 8% (13/154)
 - High cost of rent , 8% (13/154)
 - High taxes, 7% (11/154)

City government services and support

- 21% (22/104) of respondents reported contacting the City or using city services (workshops, resources, customized business assistance) to respond to the new requirements of measure FF.
- When asked to rank eight specified city services in order of importance from, the results were as follows (1 was the lowest possible score, 8 was the highest possible score):
 - Public safety, score = 5.9
 - Blight abatement, score = 5.0
 - Commercial corridor streetscape, score = 4.7
 - Information about local rules and regulations, score = 4.6
 - Referrals for financing, score = 4.3
 - Business assistance and education programs, score = 4.1
 - Facade improvement grants, score = 4.0
 - Employee recruitment and training programs = 3.4
- Respondents were asked to share open-ended responses describing other ideas about how the city could support businesses.
 - 15% (13/88) of respondents identified safety and police presence as ways the city could better support businesses.
 - 8% (7/88) of participants asked for lower taxes, tax breaks or credits, 8% (7/88) of respondents identified increasing the overall support for businesses, 7% (6/88) identified parking-related issues, and 6% (5/88) suggested that the City engage local businesses before creating new laws or regulations.
 - Only 2% (2/88) suggested making changes to the minimum wage law

Introduction

In November 2014, Oakland voters overwhelmingly backed measure FF, which increased the City's minimum wage from \$9 to \$12.25 per hour, with over 80% of voters favoring the measure. On March 2, 2015 the law took effect, increasing Oakland's minimum wage by 36% in one step, with no phase-in or small-business exemption. In addition, the law required Oakland businesses to provide 1 hour of sick leave for every 30 hours worked¹.

Throughout the Bay Area there is a growing movement to increase the earnings of minimum wage workers. San Francisco voters approved a measure raising the city's minimum wage gradually to \$15 per hour by 2018². Berkeley will raise its minimum wage to \$12.53 per hour by October 2015³. In June of 2015 the Emeryville City Council and Mayor approved a plan to raise wages in July 2015 to \$12.25 (the same as Oakland) with additional increases to come yearly. Emeryville's minimum wage ordinance included a sick leave mandate similar to Oakland's law⁴.

In Los Angeles the City Council and Mayor approved a plan to raise the minimum wage to \$15 per hour by 2020, with the first increase due in 2016 to \$10.25. Los Angeles is currently the biggest city to have approved a law intended to raise its minimum wage to \$15 per hour⁵. In September 2015, New York approved a plan to raise the minimum wage for fast food workers, reaching \$15 per hour by 2018 for workers in New York City, and by 2021 for workers in the rest of the state⁶.

In addition, some employers are unilaterally increasing the wages that they pay to their workers. For example, in July 2015, University of California President Janet Napolitano announced a plan to increase wages to at least \$15 an hour for all University of California workers by 2017⁷. In April, the insurance company Aetna announced that its lowest-paid workers would be paid at least \$16 per hour⁸.

In general, a minimum wage has the potential to affect economic activity through several mechanisms. The higher minimum could cause businesses to reduce employment or increase the prices they charge, it could cause more workers to seek employment, and if businesses charge higher prices (due to higher costs) consumers may buy less. When a community's minimum is higher than its neighbors', these effects can be amplified and, in addition, businesses may relocate to nearby communities with lower minimum wages. Measure FF increased Oakland's minimum wage by a large percentage in one step (with no phase-in period) and also created a significant differential between Oakland's minimum and those of nearby cities. However,

¹ "Oakland's New Employment Law Took Effect March 2, 2015". Retrieved October 16, 2015 from <http://www2.oaklandnet.com/Government/o/CityAdministration/d/MinimumWage/OAK051451>

² "Minimum Wage Ordinance (MWO)". Retrieved October 16, 2015 from <http://sfgsa.org/index.aspx?page=411>

³ "Minimum Wage Ordinance (MWO)". Retrieved October 16, 2015 from <http://www.ci.berkeley.ca.us/MWO/>

⁴ "Minimum Wage Ordinance". Retrieved October 16, 2015 from <http://www.ci.emeryville.ca.us/1024/Minimum-Wage-Ordinance>

⁵ "Citywide Minimum Wage Law". Retrieved October 16, 2015 from <https://cityclerk.lacity.org/lacityclerkConnect/index.cfm?fa=ccfi.viewrecord&ncfms=&cfnumber=14-1371-S7>

⁶ "Minimum Wages". Retrieved October 16, 2015 from <http://www.labor.ny.gov/workerprotection/Laborstandards/workprot/minwage.shtm>

⁷ "UC president announces \$15/hour minimum wage". (July 22, 2015). Retrieved October 16, 2015 from <http://universityofcalifornia.edu/press-room/uc-president-announces-15hour-minimum-wage>

⁸ "Aetna to improve wages and medical benefits for thousands of its employees". (January 12, 2015). Retrieved October 16, 2015 from <https://news.aetna.com/aetna-improve-wages-medical-benefits-thousands-employees/>

Emeryville, Berkeley, and San Francisco, are phasing in increases that will (and in some cases already have) eliminate the differential between Oakland and these cities.

This survey is a first step at gathering information about how Oakland's higher minimum wage is affecting Oakland businesses. We sought to find out how widespread the economic impacts (changes in employment, business location, and prices) are and whether the impacts are concentrated in specific industry sectors or geographic regions. Our findings suggest that there are economic impacts that the City may wish to address and that additional exploration of these issues may be useful.

The findings of the survey provide valuable insights, but they are limited by the number of respondents which does not represent the full array of Oakland businesses.

Survey Methodology

Distribution

The survey was conducted online using Survey Monkey. It was distributed via email and posted on Townsquared, an online social network platform connecting local businesses. Since the researchers did not have a comprehensive mailing list of Oakland businesses, the survey link was sent to contacts at the Oakland Chamber of Commerce, all Oakland Business Improvement Districts (BIDs), Community Benefit Districts (CBDs), and the Sustainable Business Alliance. The text of the email sent out with the survey is provided in Appendix 1. The survey was sent out to corresponding email lists by the Oakland Chamber, the Lakeshore/Lake Park BID, Koreatown/Northgate CBD, Downtown CBD, and Lake Merritt/Uptown CBD. The researchers monitored responses and, after the first week, noted that there were few responses from the Fruitvale and Temescal neighborhoods. Therefore, they used online resources to compile a supplemental email list with 94 businesses including 29 businesses in Fruitvale and 31 businesses in Temescal. The survey went online on July 1st, with the deadline of July 17th. It remained open and responses were collected until July 27th. 113 Oakland businesses responded to the survey.

Survey Design

The survey was designed to be easy for businesses to complete within 10 minutes. A small number of businesses participated in a pilot survey to verify ease of response and to provide input on survey methodology prior to wider distribution of the survey. Questions about general business conditions in Oakland preceded specific questions about the minimum wage hike in order to decrease bias regarding the minimum wage increase. The survey respondents were assured that their responses would be confidential and anonymous, so the results below are compiled in a way that preserves the anonymity of respondents.

The survey included 25 questions aimed at assessing the current and future condition for businesses in Oakland with focus on the minimum wage increase. Topics covered included:

1. Basic information regarding the business including name, location, industry, and size
2. Changes in payroll and prices in the previous 6 months
3. Anticipated changes in payroll and prices in the next 6 months
4. Challenges facing business and how city government could better serve Oakland businesses
5. Specific questions about the minimum wage increase
6. Voluntary contact information for future communication

The full text of the survey is provided in Appendix 2.

Limitations

Conducting the survey online and distributing it via email was far less costly in both dollars and time than a phone or mail survey. However, an online survey excludes potential respondents who do not use email for communication, or whose owners/managers are less likely to connect online. We expect that the online nature of the survey reduced the response rate among some targeted businesses, but given the limited time frame and funds for this project, online surveying was the best option for this preliminary study.

With 113 responses, the survey responses clearly are not representative of all businesses in Oakland, and the results of this report are preliminary rather than conclusive. Nevertheless, the survey identifies some key challenges facing Oakland businesses and offers insights that could be useful as the City seeks to meet the needs of local businesses. Further study is needed to capture the comprehensive effect of the minimum wage increase on all businesses in Oakland.

Characteristics of Survey Respondents

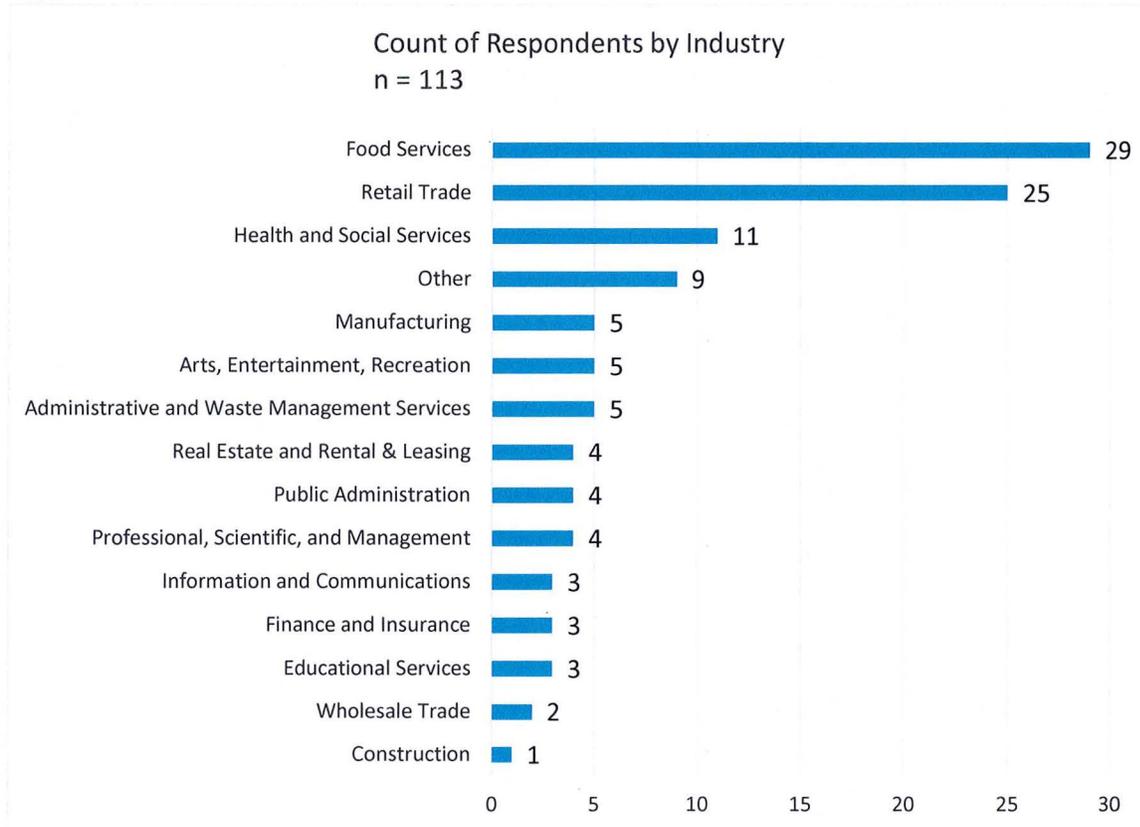
Industries Represented

The industries with the highest representation in the sample of respondents were food services making up 26% (29/113) and retail trade with 22% (25/113) of respondents as shown in figure 1a. Health and social services made up 10% (9/113) of the respondents while the remaining categories had fewer respondents ranging between 1% and 4%. The “other” category, which makes up 8% (11/113) of the total respondents, includes religious services, personal care, repair/ maintenance, design, childcare, and photography businesses. Figure 1b displays the number of respondents in each sector. Additionally 10% (11/113) of the total respondents reported that their organizations were nonprofits.

Figure 1a.

Industry	Count	Percentage
Food Services	29	25.7%
Retail Trade	25	22.1%
Health and Social Services	9	9.7%
Administrative and Waste Management Services	5	4.4%
Arts, Entertainment, Recreation	5	4.4%
Manufacturing	5	4.4%
Professional, Scientific, and Management	4	3.5%
Public Administration	4	3.5%
Real Estate and Rental & Leasing	4	3.5%
Educational Services	3	2.7%
Finance and Insurance	3	2.7%
Information and Communications	3	2.7%
Wholesale Trade	2	1.8%
Construction	1	0.9%
Other	11	8.0%
Total	113	100%

Figure 1b.



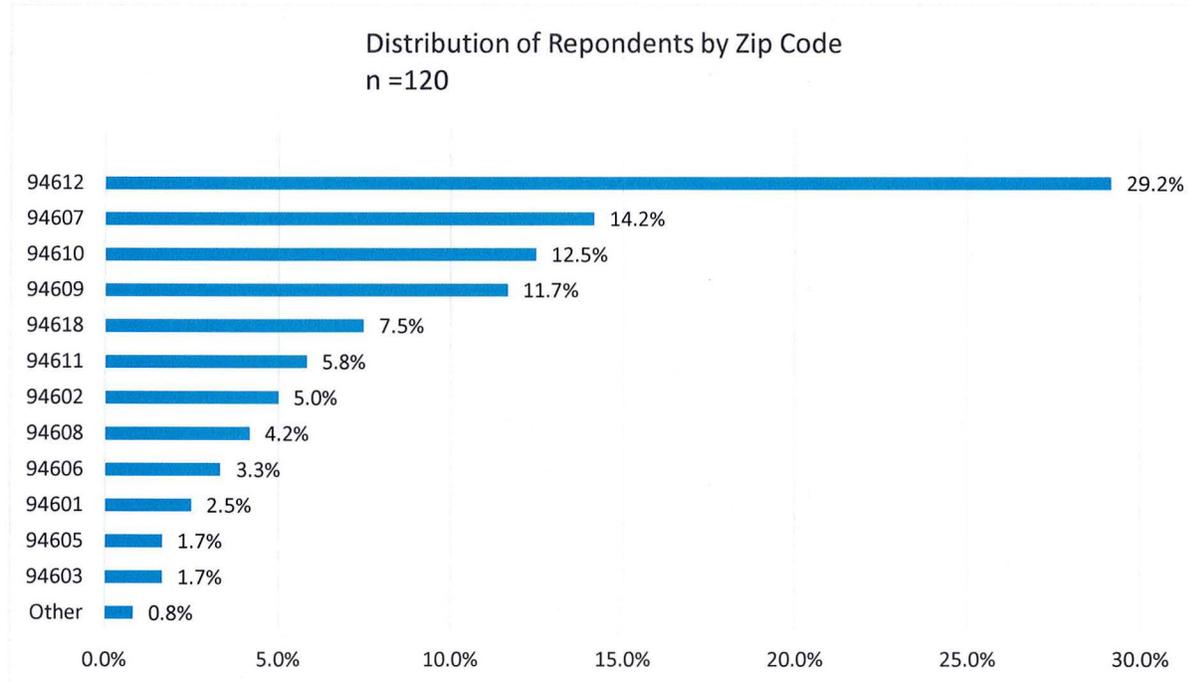
Geographical Distribution

The number of responses to the survey varied greatly based on zip code. As seen in figures 2a and 2b, downtown (94612) at 29% (35/120) is the zip code with the largest number of responses. This is consistent with downtown's large share of Oakland businesses. Oakland's West Oakland and Embarcadero neighborhoods (94607) follow at 14% (17/120). 94610 which represents Adams Point, Grand Avenue, and Lakeshore has 13% (15/120) of respondents. 12% (14/120) of responses came from 94609, which includes parts of North Oakland, Lower Rockridge, and Temescal. Zip codes representing the remaining neighborhoods account for between 1% and 8% of responses. A number of respondents reported locations in multiple zip codes, as such the sample size for zip codes is 120 which is greater than the total survey sample size of 113.

Figure 2a.

Zip Codes	Neighborhoods	Count	Percentage
94612	Downtown Oakland	35	29.2%
94607	West Oakland, Embarcadero	17	14.2%
94610	Adams Point, Grand Avenue, Lakeshore District, Northern Haddon Hill Trestle Glen, Crocker Highlands, Southern Piedmont	15	12.5%
94609	Southern Lower Rockridge, Temescal, North Oakland flats	14	11.7%
94618	Piedmont side of Montclair, Upper Rockridge, Claremont Northern Lower Rockridge	9	7.5%
94611	Montclair, Broadway Terrace, Piedmont Pines, City of Piedmont, Piedmont Avenue	7	5.8%
94602	Joaquin Miller, Oakmore, Laurel, Glenview, Upper Diamond	6	5.0%
94608	Golden Gate, Paradise Park	5	4.2%
94606	Clinton, Bella Vista	4	3.3%
94601	Fruitvale, Peralta Hacienda, Foothill, Patten, Fremont, Melrose	3	2.5%
94603	International Blvd, South Stonehurst, Elmhurst Park, Las Palmas	2	1.7%
94605	Oakknoll, Golflinks Road, Keller Avenue, King Estates, Millsmont, Eastmont, Sheffield Village	2	1.7%
Other		1	0.8%
Total		120	100%

Figure 2b.



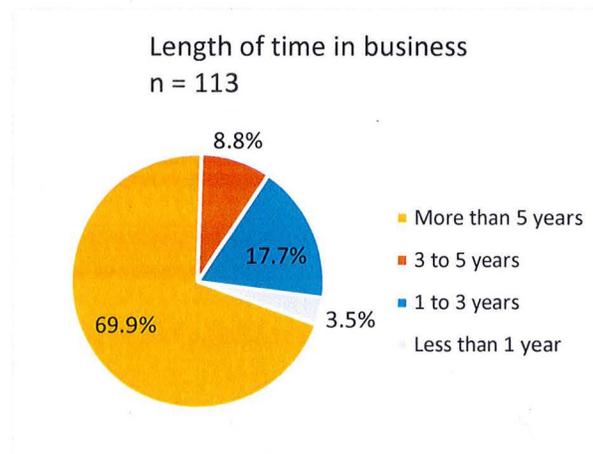
Length of Time in Business

Respondents were asked how long they have been in business and could choose between the answers listed in the first column of figure 3a. As shown in figure 3b, most of the business are well-established, with 70% (79/113) of respondents reporting that they have been in business for 5 years or longer.

Figure 3a.

How long in business?	Count	Percentage
More than 5 years	79	69.9%
3 to 5 years	10	8.8%
1 to 3 years	20	17.7%
Less than 1 year	4	3.5%
Total	113	100%

Figure 3b.



Findings Regarding General Business Conditions

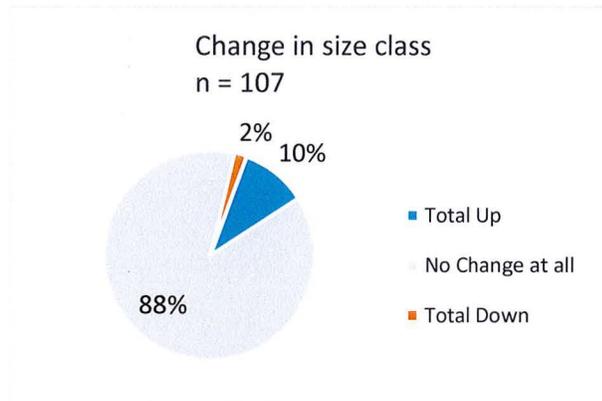
Number of employees

A majority of respondents employed 10 or fewer employees. The questions comparing size between November 2014 (before the Measure FF went into effect) and July 2015 (when the surveys were completed) were intended to determine whether there has been significant shrinkage or growth in size of businesses. As shown in the first column of figure 4a, the responses were recorded in size classes rather than specific numbers. As such, it is possible that respondents had experienced change in size within a given class that they reported as no change at all. Figure 4b illustrates that amongst the businesses surveyed there is evidence of growth as 10% moved to a larger size class while only 2% moved to a smaller size class.

Figure 4a.

Comparison of number of employees between November 2014 and July 2015	Count Previous	Count Current
0-10	68	62
10-20	16	17
20-50	14	17
50-100	4	3
100-300	4	5
300 or more	1	3
Total	107	107

Figure 4b.



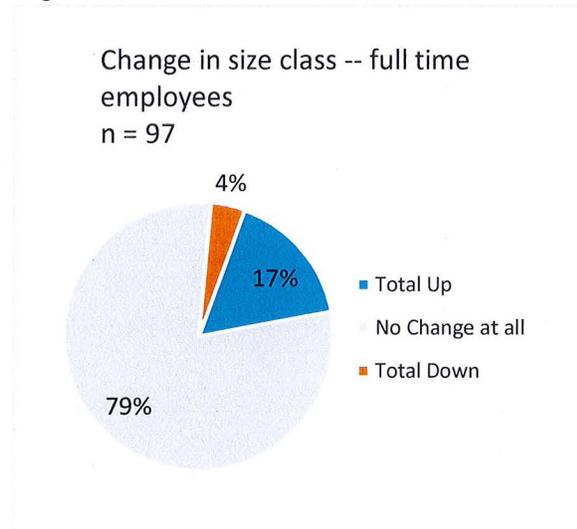
Changes in Full Time Employees by Size Class

Most respondents had 4 or fewer full-time workers (who worked 35 hours or more), as shown in figure 5a. Of the 97 respondents who answered this question, 17% reported that they moved into a larger size class between November 2014 and July 2015, while 4% reported moving to a smaller size class. The respondents were given the categories shown in the first column of figure 5a to choose from, so a business could have grown (for example, from 6 full-time workers to 8) but would remain in the same size class.

Figure 5a.

Comparison in full time employees by Size Class between November 2014 and July 2015	Count Previous	Count Current
0-4	68	65
5-9	9	11
10-14	8	7
15-19	2	1
20-24	2	5
25-29	2	2
30 or more	5	6
Total	97	97

Figure 5b.



Changes in Payroll Costs

70% (72/103) of respondents reported an increase in their payroll costs between November 2014 and July 2015 with 32% (33/103) reporting payroll increases of 10% or more. 30% (31/103) of respondents reported payroll increases between 2% and 10%. Figures 6a and 6b show the count and corresponding percentages of respondents who increased, decreased or made no change to their payroll. The first column in figure 6a lists the categories provided for the answer to this question.

97 of the 103 respondents who reported on their payroll changes also chose an answer indicating the component of the change from a list shown in the first column of figure 7a. As shown in figure 7a, of those who reported payroll increases 70.8% (51/72) chose "change in hourly pay". Figure 7b shows that for 50% (4/8) of respondents who reported decreases in their payroll, "change in the number workers" resulted in payroll changes.

Respondents were given space to provide open-ended responses explaining the reason for the change in their payroll costs. As shown in figure 7c, 33% (24/72) of respondents who reported their payroll costs increasing, cited the new minimum wage law as the reason. 18% (13/72) of respondents cited raises (not mentioning minimum wage) as the reason for their payroll costs increasing. 1 respondent (out of 8) who reported a decrease in payroll, cited laying off employees due to the minimum wage increase.

Figure 6a.

Payroll Comparison between November 2014 and July 2015	Count	Percentage
Up more than 10%	33	32%
Up 5-10%	18	17%
Up 2-5%	13	13%
Up 0-2%	8	8%
No Change at all	23	22%
Down 2-5%	1	1%
Down 5-10%	4	4%
Down more than 10%	3	3%
Total	103	100%

Figure 6b.

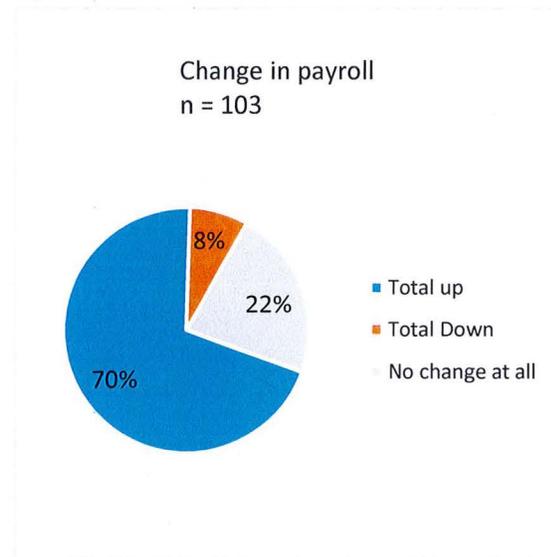


Figure 7a.

Components of Payroll Increase	Count	Percentage
Change in hourly pay	51	70.8%
Change in number of workers	17	23.6%
Change in hours per worker	2	2.8%
Payroll costs have not changed in the past 6 months	0	0.0%
No response	2	2.8%
Total- Increased Payroll	72	100%

Figure 7b.

Components of Payroll Decrease	Count	Percentage
Change in hourly pay	1	12.5%
Change in number of workers	4	50.0%
Change in hours per worker	2	25.0%
Payroll costs have not changed in the past 6 months	0	0.0%
No response	1	12.5%
Total- Decreased Payroll	8	100%

Figure 7c.

Reasons for Payroll Increase	Count	Percentage
Minimum Wage Increase	24	33%
Employee Raises	13	18%
Additional Employees	10	14%
No Response	25	35%
Total- Increased Payroll	72	100%

Figure 7d.

Reasons for Payroll Decrease	Count	Percentage
Minimum Wage Increase	1	12.5%
Less overtime	1	12.5%
Fewer Employees	3	37.5%
No Response	3	37.5%
Total- Decreased Payroll	8	100%

Changes in Price

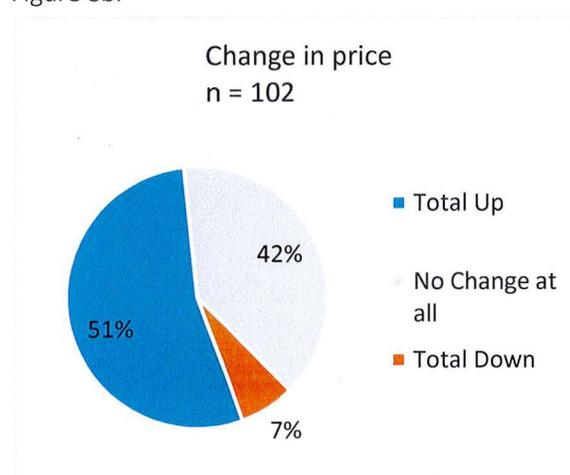
51% (55/107) of respondents reported an increase in their prices since November with 30% reporting price increases of 5% or more. 42% of respondents reported no changes in prices. By way of comparison, the San Francisco Area Consumer Price Index increased by 2.6% during the year from August 2014 to August 2015. Figures 8a and 8b show results for price changes⁹.

Businesses that increased their prices were asked an open-ended question about the reasons for the increase. Of the 55 businesses with price increases 18% (10/55) cited the new minimum wage law in the comments as their reasoning. Figure 9a lists all of the reasons businesses gave for raising their prices. 51% (28/55) of those who reported raising their prices did not specify the reason.

Figure 8a.

Price Comparison between November 2014 and July 2015	Count	percentage
Up more than 10%	12	11%
Up 5-10%	20	19%
Up 2-5%	10	9%
Up 0-2%	13	12%
No Change at all	45	42%
Down 0-2%	1	1%
Down 2-5%	2	2%
Down 5-10%	2	2%
Down more than 10%	2	2%
Total	107	100%

Figure 8b.



⁹ "Consumer Price Index, San Francisco Area — August 2015". Retrieved October 16, 2015 from http://www.bls.gov/regions/west/news-release/consumerpriceindex_sanfrancisco.htm

Figure 9a.

Reasons for Price Increase	Count	Percentage
Minimum Wage Increase	10	18%
Increase in overall costs of business	6	11%
Keep up with going rate	4	7%
Due for a price increase after a few years	3	5%
Wholesale Prices Have Increased	2	4%
Rent	2	4%
No Response	28	51%
Total- Increased Prices	55	100%

Anticipated Future Changes

When asked if respondents expected to make changes in their prices, employment, or wages during the next six months, 59% (66/111) answered yes. Respondents were asked to provide open-ended answers providing explanation for anticipated future changes. Of those who plan to make changes, 33% (22/66) cited price increase as the change they will be making. 18% (12/66) reported plans to change their number of employees and 15% (10/66) plan to raise wages. Of the 12 businesses who stated they expect to be changing their number of employees, 10 plan to hire more, while 2 plan to make staffing reductions. Figures 10a, 10b, and 10c summarize these results.

Figure 10a.

Expected Future Changes in employment, wages, or prices	Count	Percentage
Yes	66	59%
No	45	41%
Total	111	100%

Figure 10b.

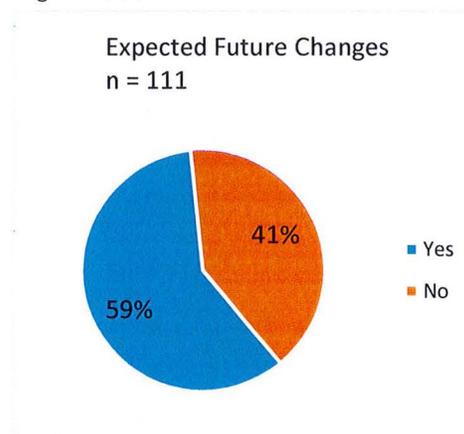


Figure 10c.

Explanation if Yes	Count	Percentage
Price Increase	22	33%
Change in number of workers	12	18%
Wage Increase	10	15%
Change in hour per worker	3	5%
No Response	19	29%
Total- Yes	66	100%

Future Move or Expansion outside Oakland

47% (53/112) of respondents stated that they had considered either moving or expanding outside of Oakland. The question did not distinguish between those who wanted to leave Oakland and those who wanted to establish additional locations outside of Oakland. 30% (16/53) of those who said yes (to either moving or expanding) indicated expansion in their open-ended comments as their reasoning for a possible future location outside of Oakland. 13% (7/53) would consider moving due to the high cost of doing business, and 9% (5/53) believe Oakland is not a business friendly city. Additionally 9% (5/53) cited the high rents in Oakland as their reason for considering a move. 8% (4/53) of respondents cited the minimum wage increase as the reason for a potential move or expansion outside of Oakland. Figures 11a, 11b, and 11c display these results.

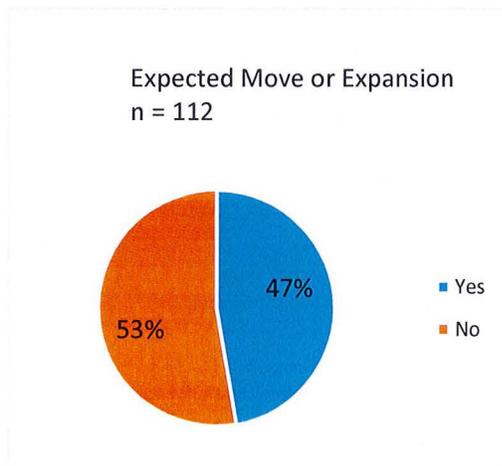
Figure 11a.

Expected Move or Expansion	Count	Percentage
Yes	53	47%
No	59	53%
Total	112	100%

Figure 11c.

Explanation if Yes	Count	Percentage
Expansion	16	30%
High Cost of doing business	7	13%
Oakland Not Business Friendly	5	9%
Increasing cost of rent	5	9%
Minimum wage increase	4	8%
Crime	2	4%
High Taxes on businesses	2	4%
No Response	12	23%
Total (Yes)	53	100%

Figure 11b.



Ranking of Government Services

Respondents were asked to rank eight city services in order of importance. Figure 12a lists these services and their corresponding score based on rankings of participants. Scores are weighted based on number of respondents and ranking. If all respondents rate a particular service “most important” its score would be 8, whereas if all respondents rate a service “least important” its score would be 1. The categories in figure 12b, appeared on the survey as they are listed in the first column of the table.

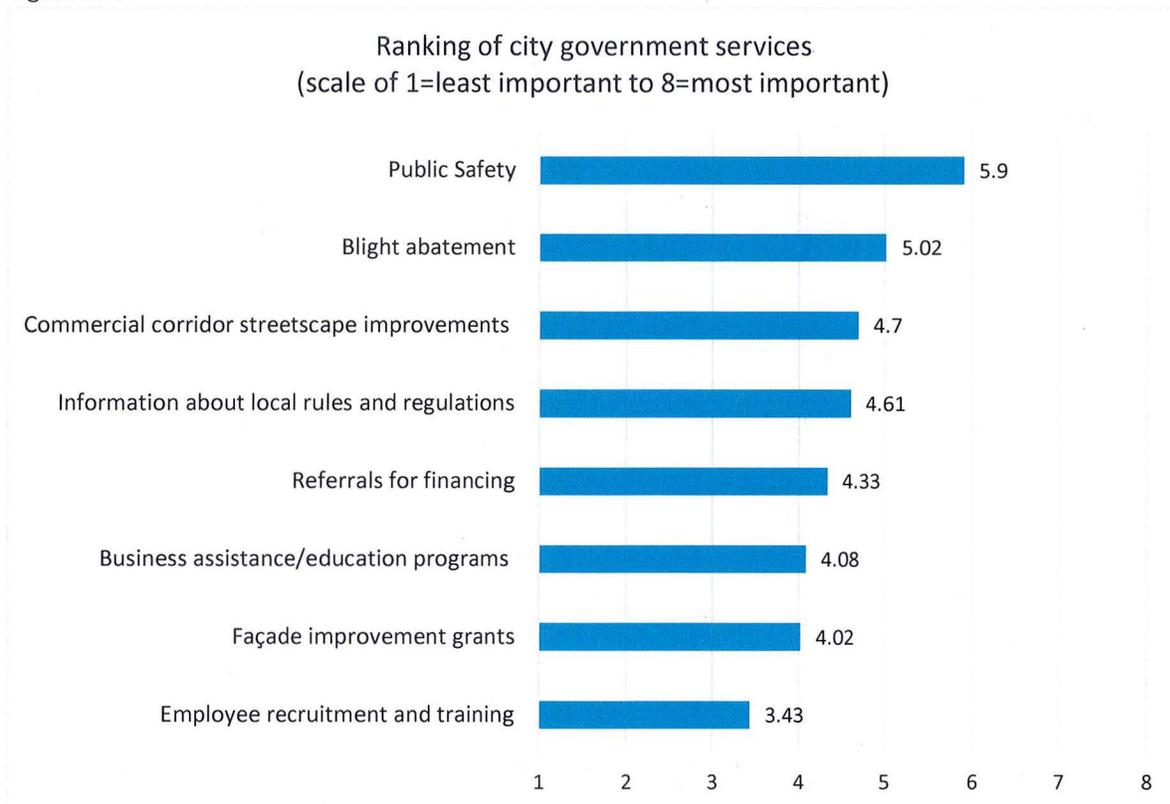
Respondents ranked public safety and blight abatement as the most important city services. The range of scores for the different services is relatively narrow, with all services scoring between 3.4 and 5.9 on a scale of 1 to 8. While employee recruitment and training programs received the lowest score in terms of city services, employee recruitment and training was identified as a major challenge by respondents as shown in

figure 13. A possible explanation for this inconsistency is that some respondents may not see government as the entity to address the challenge of recruiting and training employees.

Figure 12a.

City Government Services	Score (scale of 1= least important to 8=most important)
Public Safety	5.90
Blight abatement	5.02
Commercial corridor streetscape improvements	4.70
Information about local rules and regulations	4.61
Referrals for financing	4.33
Business assistance/education programs	4.08
Façade improvement grants	4.02
Employee recruitment and training programs	3.43

Figure 12b.



Challenges Facing Oakland Businesses

Respondents were asked to provide open-ended responses describing their biggest challenges. Need for a more business friendly city and crime and safety were cited as top challenges. Marketing and advertising, employee recruitment, training and retention, increasing cost of rent, and high taxes were other top challenges. Figure 13 lists challenges categorized based on the responses received. The total number of responses to this question exceeds the sample size of the survey as many participants cited more than one challenge in their answer. Only 6% (9/154) of responses cited minimum wage as the biggest challenge.

Figure 13.

Biggest Challenge	Count	Percentage
Need for a more business friendly city	19	12%
Crime and safety	17	11%
Marketing and advertising	13	8%
Employee recruitment, training and retention	13	8%
Increasing cost of rent	13	8%
High Taxes	11	7%
Minimum wage increase	9	6%
Homelessness	8	5%
Increasing competition	7	5%
Rising cost of doing business	7	5%
Oakland's poor reputation	7	5%
Street façade, graffiti, trash and blight	7	5%
Inconsistent sales/ profits	6	4%
Parking	4	3%
Increasing utility costs	3	2%
Lack of access to capital	3	2%
Inconsistent pedestrian traffic	3	2%
Health insurance costs	2	1%
Lack of business connections	2	1%
Total	154	100%

Ideas for Support from the City

Respondents' ideas for support from the City of Oakland are shown in Figure 14. 15% (13/88) of respondents identified increased safety and police presence as ways the city could support businesses. 8% (7/88) participants asked for lower taxes, tax breaks or credits and 7% (7/88) respondents identified increasing support for businesses. Parking was also identified as an area where the city could be more supportive with 7% (6/88) of respondents suggesting more short term parking meters, lowering parking tickets and increasing the availability of free parking in dense business areas. Many ideas were listed by only one respondent. These responses are shown as "other" in Figure 14 and all 31 ideas are shown in Appendix 3.

Figure 14.

How City Can Help Businesses	Count	Percentage
Make Oakland more safe/ more police	13	15%
Lower taxes/ tax breaks or credits	7	8%
More supportive of businesses	7	8%
parking- eliminate short term parking meters and high parking tickets, more free parking	6	7%
Engage businesses before creating new laws or regulations	5	6%
Marketing of Oakland and its shopping neighborhoods	4	5%
Façade improvement	4	5%
Effectively deal with homelessness	3	3%
Connect merchants through networking meetings	2	2%
Lower city payroll	2	2%
Make it easy to understand laws and regulations	2	2%
Free buses or shuttles to shopping areas such as Temescal or grand Ave	2	2%
Other	31	35%
Total	88	100%

Findings Regarding Minimum Wage (Measure FF)

After asking general questions about business conditions and city government services and support, respondents were asked specifically about the impact of Measure FF on their businesses.

Changes Made in Response to Minimum Wage Law

As shown in figures 15a and 15b, 45% (47/105) of respondents answered yes when asked if they had made any changes as a result of the minimum wage hike. 34% (16/47) reported raising their prices, 21% (10/47) reduced their hours of operation, 13% (6/47) added paid sick leave and 6% (3/47) made reductions to their staff. The categories listed in the first column of figure 15c are based on open-ended answers by respondents.

Figure 15a.

Made Changes?	Count	Percentage
No	58	55%
Yes	47	45%
Total	105	100%

Figure 15b.

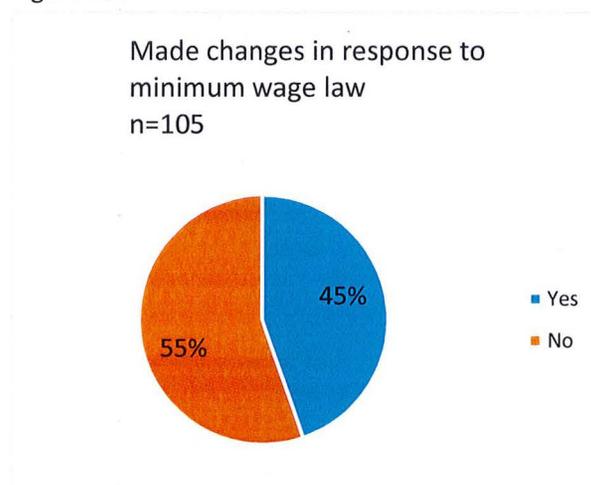


Figure 15c.

Explanation if "yes" to making changes	Count	Percentage
Raised Prices	16	34.0%
Reduced Hours	10	21.3%
Added paid sick leave	6	12.8%
Staff reduction	3	6.4%
Pay freeze or reduction for Managers	2	4.3%
Bought less inventory	1	2.1%
Increased training and set higher performance standards	1	2.1%
No Response	8	17.0%
Total- Yes	47	100%

Reactions to the Minimum Wage Law

Recognizing that the minimum wage can be an emotionally charged issue, we asked respondents about their response to the minimum wage hike in addition to asking questions about how the minimum wage hike has affected their business decisions.

A majority (53%, or 25/47) of those who indicated they had made changes in response to the minimum wage increase expressed a negative reaction to the law. 32% (15/47) of respondents who made changes, expressed a mixed response. Some stated that the increase was significant and sudden, thus raising their costs significantly. Others would have liked more engagement and discussion with the business community. Businesses expressed worry over customer reaction to raised prices and its effect on their profits.

Respondents with mixed reactions expressed personal views that are aligned with higher wages for employees, however they also expressed great concern for the health of their business. Two respondents expressed a neutral reaction, even though they reported making changes due to the law.

Amongst those who did said no to having made any changes in response to the law, 52% (30/58) expressed a positive reaction to the higher minimum wage requirement. These respondents expressed their approval of the change at a time of rising rents and living expenses in Oakland. Others expressed their own personal belief that employees should be earning higher than the old minimum wage. Figures 16a and 16b summarize these results.

Figure 16a.

"yes" to making changes	Count	Percentage
Positive Reaction	4	9%
Negative Reaction	25	53%
Mixed Reaction	15	32%
Neutral	2	4%
No Response	1	2%
Total- Yes	47	100%

Figure 16b.

"no" to making changes	Count	Percentage
Positive Reaction	30	52%
Negative Reaction	7	12%
Mixed	6	10%
Neutral	14	24%
No response	1	2%
Total- No	58	100%

Contacted/ Used City Services in Response to the Minimum Wage Law

21% (22/104) of respondents reported contacting the city or using city services (workshops, resources, customized business assistance) to respond to the new minimum wage requirements. 15 of the 22 participants who answered yes also gave explanations, which are listed in figure 18a. 6 respondents who did not contact or use city services expressed their belief that such services are not useful to businesses, while 5 reported not knowing about any services or points of contact. These results are shown below.

Figure 17a.

Contacted/ Used City Services	Count	Percentage
No	82	79%
Yes	22	21%
Total	104	100%

Figure 17b.

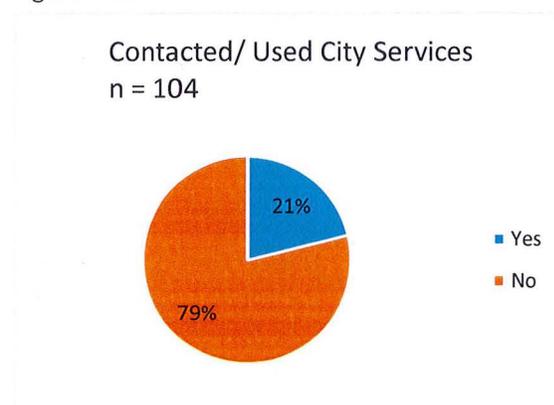


Figure 18a.

Explanation if "yes" to contacting/ using City services	Count
Attended workshops	5
Little or no information at first	2
Used City Website	2
Used Oakland business assistance center	2
Talked to Councilmember	1
Got involved with Community networks	1
Obtained rules on sick leave	1
Got an answer to question via email	1
No Response	7
Total- Yes	22

Figure 18b.

Explanation if "no" to contacting/ using City services	Count
City services are not useful to businesses	6
Did not know of any services or who to contact	5
No need	3
No response	68
Total- No	82

Minimum Wage Increase Findings by Industry:

In this section, survey results on the minimum wage increase are analyzed by industry. Retail trade and food services are fairly well represented in the sample of respondents as compared to other industries. As such these two industries are compared to all others, which are combined into one category called “other industries”.

Changes in Payroll Costs

Figure 19 provides comparison of payroll changes amongst food services, retail trade and other industries. Businesses in the food services industry were most likely to experience an increase in payroll costs. 85% (23/27) of food service respondents reported increases in their payroll costs between November 2014 and July 2015, as compared with 75% (18/24) of retail trade businesses. 59% (16/27) of respondents in the food services industry identified the minimum wage law as the reason their payroll had increased as compared with 21% (5/24) in retail trade and 12% (6/52) in other industries.

Figure 19.

Food Services - Payroll Changes	Count	Percentage	Retail Trade- Payroll Changes	Count	Percentage	Other Industries - Payroll Changes	Count	Percentage
Total Up	23	85%	Total Up	18	75%	Total Up	31	60%
Total Down	1	4%	Total Down	1	4%	Total Down	6	12%
No Change	3	11%	No Change	5	21%	No Change	15	29%
Total	27	100%	Total	24	100%	Total	52	100%

Changes in Price

Figure 20 compares price changes amongst the given three categories of industry. 78% (22/28) of respondents in the food services industry increased their prices as compared with 49% (25/51) in other industries and 35% (8/23) in retail trade. 39% (11/28) of those in the food industry cited the minimum wage increase as their reasoning for increasing prices, as compared to 2% (1/51) in the other industries category and none in the retail trade group.

Figure 20.

Food Services- Price Changes	Count	Percentage	Retail Trade- Price Changes	Count	Percentage	Other Industries - Price Changes	Count	Percentage
Total Up	22	78%	Total Up	8	35%	Total Up	25	49%
Total Down	3	11%	Total Down	1	4%	Total Down	3	6%
No Change	3	11%	No Change	14	61%	No Change	23	45%
Total	28	100%	Total	23	100%	Total	51	100%

Response to Minimum Wage Law

Figure 21 compares the number of businesses in the three given industry groups that made changes in response to measure FF. It is shown that businesses in the food services industry made the most changes in response to the minimum wage hike, specifically 74% (20/27) reported making a change as compared with 36% (20/55) in other industries and 30% (7/23) in retail trade.

Figure 21.

Food Services-Made Changes?	Count	Percentage	Retail Trade-Made Changes?	Count	Percentage	Other Industries-Made Changes?	Count	Percentage
Yes	20	74%	Yes	7	30%	Yes	20	36%
No	7	26%	No	16	70%	No	35	64%
Grand Total	27	100%	Grand Total	23	100%	Total	55	100%

Minimum Wage Increase Findings by Zip Code:

This section presents the minimum wage law focused survey responses organized by zip code. As previously mentioned not all zip codes were well represented in the sample. For this analysis, zip codes with 10 or more respondents were compared with two groups made up of combined zip codes based on geographical proximity. Figure 22 displays the geographical distribution of survey respondents, as well as the two groups used for this analysis.

Figure 22.

Zip Codes	Count
Zip codes with 10 or more respondents	
94612	35
94607	17
94610	15
94609	14
Group 1	
94618	9
94611	7
94608	5
Group 2	
94602	6
94606	4
94601	3
94603	2
94605	2
other	1
Total	120

Changes in Payroll Costs

Figure 23 shows the percentage and count (in parenthesis) of changes in payroll costs (from November 2014 to July 2015) across the given zip code groups. Businesses in zip codes 94612, group 1 and group 2 show larger increases in payroll costs than other zip codes. More than half of respondents in all geographical groups reported increases in payroll costs.

Figure 23.

Percentage of Payroll Changes- Count shown in parenthesis	94612	94607	94610	94609	94601, 94602, 94603, 94605, 94606 and other	94608, 94611, and 94618
Total Up	72% (23)	55% (11)	58% (7)	58% (7)	82% (14)	70% (14)
Total Down	0% (0)	0% (0)	0% (0)	17% (2)	12% (2)	10% (2)
No Change at all	28% (9)	45% (9)	42% (5)	25% (3)	6% (1)	20% (4)
Total	100% (32)	100% (20)	100% (12)	100% (12)	100% (17)	100% (20)

Changes in Price

Figure 24 shows the comparison of percentage and count of businesses amongst the given zip code groups that have made changes to their prices since November 2014. 77% (10/13) of respondents in zip code 94609 reported raising their prices, followed by 69% (9/13) in zip code 94610. 45% (15/33) of businesses in zip code 94612 which represents downtown Oakland reported raising their prices.

Figure 24.

Percentage of Price Changes- Count shown in parenthesis	94612	94607	94610	94609	94601, 94602, 94603, 94605, 94606 and other	94608, 94611, and 94618
Total Up	45% (15)	56% (9)	69% (9)	77% (10)	56% (9)	53% (9)
Total Down	6% (2)	13% (2)	0% (0)	0% (0)	13% (2)	12% (2)
No Change at all	48% (16)	31% (5)	31% (4)	23% (3)	31% (5)	35% (6)
Total	100% (33)	100% (16)	100% (13)	100% (13)	100% (16)	100% (17)

Response to Minimum Wage Law

The majority of respondents in zip codes 94612 (59%), 94610 (60%), 94609 (67%), and group 2 (63%) did not make changes in response to the minimum wage law. Figure 25 compares the percentage and corresponding count of businesses in each geographical group based on whether they made changes in responses to measure FF or not.

Figure 25.

Percentage of Made Changes- Count shown in parenthesis	94612	94607	94610	94609	94601, 94602, 94603, 94605, 94606 and other	94608, 94611, and 94618
No	59% (19)	44% (7)	60% (9)	67% (8)	35% (6)	63% (12)
Yes	41% (13)	56% (9)	40% (6)	33% (4)	65% (11)	37% (7)
Total	100% (32)	100% (16)	100% (15)	100% (12)	100% (17)	100% (19)

Conclusions

The survey results suggest that between November 2014 and July 2015 many Oakland businesses have increased prices, and have experienced increased payroll costs. 70% of respondents reported increased payroll costs, and of those 71% cited higher wages as the reason. Of the 8% of respondents who reported decreased payroll costs, 75% reported that their payroll costs had fallen due to a reduction in the number of employees or the number of hours. The minimum wage hike appears to have been a significant factor in driving these changes. When specifically asked whether they had made changes as a result of the minimum wage hike, 45% of respondents answered yes. These changes have been particularly prevalent in the food services industry. Our results provide no evidence of greater impacts in some neighborhoods than in others.

At the same time, when Oakland businesses were asked about the greatest challenges that they face, they cited other challenges more frequently than the city's minimum wage. The general business environment and crime & safety were the most frequently cited challenges. Non-labor costs, such as rents and taxes, were cited by many respondents as well. Nearly half of respondents (47%) have considered moving or expanding outside of Oakland. When asked how the City of Oakland can help businesses, respondents provided a broad array of suggestions with safety and policing at the top of the list. Only two respondents suggested that the City should make changes in the minimum wage law.

Appendix 1. Text of Email Sent Out to Distribute Survey

Dear Oakland Business:

We are asking for your help in completing a survey to assess current and future conditions for businesses operating in Oakland. All feedback is greatly valued and will be used to identify the main challenges facing business owners and inform city officials about the overall business environment in Oakland. The results of this survey are intended to inform the city's efforts in supporting Oakland businesses.

The survey should take about 5-10 minutes to complete. All responses will be kept confidential and anonymous.

Please take a few minutes to participate here:

<https://www.surveymonkey.com/r/GYRDKM2>

Please complete the survey no later than Friday July 17th. We are distributing the survey through multiple organization, as such we apologize if you have received duplicates of this message.

Thank you!

Sepi Aghdaee, MPP/MBA Student, Department of Public Policy and Lorry I. Lokey Graduate School of Business, Mills College (saghdaee@mills.edu)

Carolyn Sherwood Call, Associate Dean & MBA Academic Director, Lorry I. Lokey Graduate School of Business, Mills College (csherwoodcall@mills.edu)

Appendix 2. Text of Survey

This survey is being conducted to assess current and future conditions for businesses operating in Oakland. All feedback is greatly valued and will be used to identify the main challenges facing business owners and inform city officials about the overall business environment in Oakland. The results of this survey will guide the city's efforts in supporting Oakland businesses.

1. What is the name of your business/organization?
2. What is the street address of your business/ organization?
3. What zip code is your business/organization located in? Please check all that apply.

Answer choices:

- 94601
- 94602
- 94603
- 94605
- 94606
- 94607
- 94608
- 94609
- 94610
- 94611
- 94612
- 94613
- 94618
- 94705

4. Is your business/organization a nonprofit?

Answer choices:

- Yes
- No

5. Please select the industry that best fits your business. If none of the categories apply, choose "other" and explain.

Answer choices:

- Agriculture, Forestry, Fishing, Hunting, and Mining
- Construction
- Manufacturing
- Wholesale Trade
- Retail Trade
- Transportation, Warehousing, and Utilities
- Information and Communications
- Finance and Insurance
- Real Estate and Rental & Leasing
- Professional, Scientific, and Management

- Administrative and Waste Management Services
- Educational Services
- Health and Social Services
- Arts, Entertainment, Recreation
- Accommodations
- Food Services
- Public Administration

6. How long have you been in business?

Answer choices:

- Less than 1 year
- 1 to 3 years
- 3 to 5 years
- More than 5 years

7. How many workers do you currently employ (as of June 1, 2015)?

Answer choices:

- Up to 10
- 10-20
- 20-50
- 50-100
- 100-300
- 300 or more

8. Approximately how many of your current employees worked 35 hours or more a week?

9. How many workers did you employ on November 1, 2014?

Answer choices:

- Up to 10
- 10-20
- 20-50
- 50-100
- 100-300
- 300 or more

10. Approximately how many of these employees (November 1, 2014) worked 35 hours or more a week?

11. How does your current total payroll cost compare with the total payroll cost on November 1, 2014?

Answer choices:

- Down more than 10%
- Down 5-10%
- Down 2-5%
- Down 0-2%
- No Change at all
- Up 0-2%

- Up 2-5%
- Up 5-10%
- Up more than 10%
- Please Explain:

12. If your payroll costs have changed since November 1, 2014 what are the reasons?

Answer choices:

- Change in number of workers
- Change in hours per worker
- Change in hourly pay
- Payroll costs have not changed in the past 6 months
- Please Explain:

13. If you have changed your prices since November 1, 2014, by how much?

Answer choices:

- Down more than 10%
- Down 5-10%
- Down 2-5%
- Down 0-2%
- No Change at all
- Up 0-2%
- Up 2-5%
- Up 5-10%
- Up more than 10%
- Please explain the reasons:

14. Do you expect to make changes in your prices, employment, or wages during the next six months?

Answer choices:

- Yes
- No
- If yes, describe what changes you expect to make:

15. Have you considered moving or expanding your business/organization outside of Oakland?

Answer choices:

- Yes
- No
- Please explain the reasons:

16. As a business owner in Oakland, what do you see as your biggest challenge(s)?

17. Please rank the following city government services 1 to 8 in order of importance to your business:

Answer choices:

- Blight abatement
- Business assistance/education programs

- Commercial corridor streetscape improvements (bike lanes, banners)
- Employee recruitment and training programs
- Façade improvement grants
- Information about local rules and regulations affecting businesses
- Public Safety
- Referrals for financing, i.e. small business loans

18. Do you have any other ideas for how the City of Oakland can help businesses such as yours?

The Minimum Wage in Oakland rose to \$12.25 this year through a voter-approved initiative, which also included paid sick leave and service charge requirements.

19. When you found out that Oakland was raising its minimum wage, what was your reaction?

20. Have you made any changes to your business in response to the new minimum wage and benefits?

Answer choices:

- Yes
- No
- Please Explain:

21. Have you contacted the City of Oakland or made use of any city services (workshops, resources, customized business assistance) to help your business respond to the new requirements?

Answer choices:

- Yes
- No
- Please Explain:

22. May we contact you if we have any questions regarding your survey responses?

Answer choices:

- Yes
- No

If Answered Yes to Question 22:

23. Please enter your name:

24. What is the best number to contact you?

25. Please enter your email address:

Oakland Minimum Wage Resources:

<http://www2.oaklandnet.com/Government/o/CityAdministration/d/MinimumWage/OAK051451>

Minimum wage hotline (510) 238-6258

email minwageinfo@oaklandnet.com

Appendix 3. Responses categorized as “other” to the question “Do you have any other ideas for how the City of Oakland can help businesses such as yours?”

How City Can Help Businesses	Count
Term out Councilmembers	1
Negotiate more effectively with unions	1
Prevent coal shipment	1
Adequate staffing of City departments charged with permitting	1
Increase enforcement of illegal dumping laws	1
Connect local shoppers, retailers and manufacturers	1
Provide basic services	1
Deal with panhandlers	1
Exempt small businesses from minimum wage law	1
More opportunities for young people	1
Keep national chains out	1
Support local manufacturers	1
Improve City procurement registration procedure	1
Partner to promote regional banks as a resource for deposit services and financing	1
Eliminate rent adjustment	1
Eliminate bureaucracy	1
Rent control for businesses	1
Support women of color entrepreneurs	1
Provide incentives and recognition for good business practices	1
put up iron shutters in from of their storefront windows in downtown Oakland	1
Keep 4 lanes on Grand Ave	1
Healing arts corridor on Grand Ave	1
More attention and resources to local BIDs	1
Keep costs of business down compared to other cities such as SF	1
Revise and update the City Master Plan for zoning to increase housing supply	1
More hotels	1
Tip credit above federal minimum wage	1
The process for starting a business should be more streamlined and cost less	1
Reduce permit fees	1
Make the rules and regulations uniform for all	1
Support and collaborate with local business development organizations such as Oakland Grown, Build It Green, Uptima Business Bootcamp	1
Total	31

MINIMUM WAGE ORDINANCE ANALYSIS AND BEST PRACTICES REVIEW

BACKGROUND

On November 4, 2014, Oakland voters passed Measure FF which provides for an increase in the minimum wage to \$12.25, effective in March 2, 2015, and adjusts it on January 1st of each subsequent year based on the cost of living. Measure FF does not provide for exceptions for training programs which provide wages to workers during training or for non-profit organizations which employ large numbers of minimum and low-wage workers, such as those providing childcare services.¹ It does, however, include a clause allowing employees to enter into a bargaining agreement waiving the application of minimum wage to their job. Additionally Measure FF requires all Oakland employers to provide paid sick leave to employees.²

The absence of provisions to address specific impacts of the wage increase for these and other nonprofit organizations has raised questions regarding the scope of impact and what steps can be taken to mitigate these impacts during the period of transition so that it does not result in a diminution of employment training opportunities or services to low-income residents, or to the cessation of services by non-profit organizations serving these populations.

Urban Strategies Council has conducted a short-term research project focused on: documenting impacts of the ordinance on non-profit organizations; identifying and reviewing how other jurisdictions have addressed implementation impacts; interviews with selected employers and leaders; and recommendations for public agencies, policy makers and philanthropy regarding methods of mitigating the negative impacts of the increased wage requirements.

This report presents the results of our review of minimum wage ordinances in other jurisdictions and best practices around mitigating the negative impacts of ordinance implementation. It is one of several sub-reports we will prepare and compile along with our

¹ While the immediate focus presented to us is on training programs which provide wages to workers during training and non-profit organizations which employ large numbers of minimum and low-wage workers, there are other businesses for which there might be a disproportionate impact, such as restaurants and owner-operated small businesses that might merit some further study.

² We plan to employ some panels of employers and union representatives and utilize a focus group method.

recommendations on strategies to mitigate the negative impacts of the Oakland ordinance on nonprofits providing training wages or employing low or minimum wage workers.

NONPROFIT FOCUS OF STUDY

Our research is focused on nonprofits that either: 1) operate training programs for which the trainees are paid a training wage; or 2) employ low or minimum wage workers who provide services to their clients or work for the nonprofit in a non-direct service role; or 3) employ both trainees and other low or minimum wage employees.

METHODS

The data and information presented in this report were derived from: 1) an analysis of minimum wage ordinances in other jurisdictions; and 2) a best practices review of potential mitigation strategies.

MINIMUM WAGE ORDINANCES ANALYSIS

As part of an effort to learn from cities and counties that have enacted minimum wage increases similar to Measure FF in the city of Oakland, this report provides an analysis of the minimum wage ordinances from numerous other jurisdictions. The primary intent of this analysis is to identify any efforts undertaken to mitigate the negative impacts of minimum wage increases on jobs or services among nonprofit training agencies and nonprofits employing low-wage workers. We gathered the principal ordinance documents for 22 jurisdictions and examined their contents with the goal of collecting information that would provide a better understanding of two specific issues:

- 1.) Were there any activities undertaken after minimum wage increase implementation which would mitigate negative impacts on nonprofit job-training providers and nonprofits employing low-wage workers?
- 2.) Would any such strategies be appropriate and effective for the City of Oakland?

This report summarizes the detailed information presented in an accompanying spreadsheet entitled “Local Minimum Wage Ordinance Spreadsheet.”

SUMMARY OF ORDINANCE ANALYSIS AND FINDINGS

After a detailed analysis of minimum wage and some living wage legislation from 22 jurisdictions, we were unable to identify any other cities or counties that were similarly situated to the City of Oakland in terms of the broad inclusiveness of employers and employees of Oakland's law and the immediate, full implementation of the increase.

We examined each ordinance and organized information into four broad categories: 1) description of the ordinance; 2) process of implementation; 3) who is impacted; and 4) enforcement measures.

We found that other jurisdictions attempted to mitigate negative impacts of minimum wage increase laws through the ordinances themselves using several methods, including: exemptions for employees; exemptions for employers; and a phasing in period of the wage increases over a specific number of years.

1. *Employee Exemptions and Waivers:* Exemption and waiver clauses for employees included exemption of employees in training programs, tipped employees, interns, student employees, or summer employees. As does Oakland's Minimum Wage ordinance, some jurisdictions also allowed collective bargaining of a wage below the minimum wage.
2. *Employer Exemptions and Waivers:* Exemptions for employers included exemptions for non-profit organizations, youth training or employment programs, and non-profit organizations whose primary source of funds is from Medicaid waivers³. Some jurisdictions established a process for petitioning the governing body for exemptions and hardship waivers.
3. *Phase In of Wage Increases:* The majority of the jurisdictions established some type of phasing-in in two categories: a) a time frame that increased the minimum wage each year over a set number of years, b) a delay in implementation to provide exempt

³ Medicaid Waivers are vehicles states can use to test new or existing ways to deliver and pay for health care services in Medicaid and Children's Health Insurance Program (CHIP). <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/Waivers.html>

employers time to make adjustments. Additionally, some jurisdictions attached any future increases to the area’s Consumer Price Index rate. Los Angeles has just voted in a minimum wage allowing an extra year for implementation for businesses and nonprofits with fewer than 25 employees.

ORDINANCE ANALYSIS METHODOLOGY

We compiled a preliminary list of jurisdictions that have enacted an increase to their local minimum wage that is higher than the federal or state minimum wage. We then gathered the official ordinance and related documents from the jurisdiction. Using these documents, we compiled a table of pertinent information in four general categories: 1) description of the ordinance; 2) process of implementation; 3) who is impacted; and 4) enforcement measures. We specifically searched for any mitigation strategies that served to help jurisdictions avoid loss of jobs or services. This information is summarized in the attached document, “Local Minimum Wage Ordinance Spreadsheet.”

LIST OF EXAMINED JURISDICTIONS

Jurisdiction	Type of Ordinance	Adoption Date
Albuquerque, NM	Minimum Wage Ordinance	41219
Berkeley, CA	Minimum Wage Ordinance	7/1/2014 (O-8)
Bernalillo County, NM	Minimum Wage Ordinance	4/23/2013 (O-4)
Bloomington, IN	Living Wage Ordinance	2006 (O-9)
Boston, MA	Living Wage Ordinance	1998 (O-1)
Buffalo, NY	Living Wage Ordinance	1999 (Amended in 2002 and 2007)
Emeryville, CA	Minimum Wage Ordinance	2015
Las Cruces, NM	Minimum wage Ordinance	9/8/2014 (O-2)
Louisville, KY	Minimum wage ordinance	41991

Milwaukee, WI	Minimum Wage Ordinance	7/22/2014 (O-3)
Montgomery County, MD	Minimum wage Ordinance	9/17/2013 (O-1)
Mountain View, CA	Minimum wage Ordinance	7/1/2015 (O-7)
Oakland, CA	Minimum Wage Ordinance	41946
Prince George County, MD	Minimum Wage Bill	11/27/2013 (O-3)
Richmond, CA	Minimum Wage Ordinance	2014 (O-8)
San Diego, CA	Minimum wage Ordinance	7/14/2014 (O-19)
San Francisco, CA	Minimum wage Ordinance	2003
San Jose, CA	Minimum wage Ordinance	41219
Santa Fe, NM	Living Wage Ordinance	2003
Seattle, WA	Minimum Wage Ordinance	2014 (O-17)
Washington DC	Minimum Wage Act Amendment	2013 (O-1)
Ypsilanti, MI	Minimum Wage Ordinance	1/1/2014 (O-4)

BEST PRACTICES REVIEW OF MITIGATION STRATEGIES

This portion of the study sought to identify strategies other jurisdictions pursued in order to mitigate the negative impact of such ordinances on specific types of nonprofit organizations (nonprofits with trainees or large numbers of low-wage workers). To gain more insight, we completed a best practices review of studies and articles on minimum wage increases. Specifically, we wanted to understand:

1. What jurisdictions implemented minimum wage increases that had provisions which neither exempted some employers nor offered a phase-in period to incrementally reach the new minimum wage?

2. Of those jurisdictions, what (if any) strategies were employed to mitigate the undesirable impact on employers vulnerable to closure, layoffs and/or cuts in services in order to comply with the new minimum wage mandate?
3. Would any such strategies be appropriate and effective for Oakland?

This report summarizes the detailed information presented in an accompanying spreadsheet entitled “Best Practices Review Spreadsheet” which contains details of the best practices search.

SUMMARY OF BEST PRACTICES REVIEW AND FINDINGS

There are three key findings established from our best practices reviews:

- 1.) The City of Oakland's minimum wage ordinance is unique, as it is the only one among the 22 minimum wage and living wage ordinances we reviewed to implement a minimum wage increase that had no employer/employee exemptions and no phase-in time.
- 2.) Mitigation strategies for minimum wage increases employed by other jurisdictions were generally set within the ordinances (through employer or employee exemptions and/or phase-in timelines). For example, the minimum wage law in Los Angeles will provide a longer phase-in time period for nonprofits and businesses with fewer than 25 employees. These strategies unfortunately do not apply to Oakland in the short term, since Measure FF was enacted through a ballot measure without any provisions for amendment by the City Council. Adjustments would need to be made in the next election through a subsequent ballot measure.
- 3.) One mitigation strategy, employed by the City of San Francisco, is directly applicable to Oakland. San Francisco is using government funding to supplement the wages of childcare workers because of the narrow margins of childcare organizations and need to maintain teacher/student ratios.

METHODOLOGY OF BEST PRACTICES REVIEW

We reviewed scholarly and popular press articles to glean insights into how other localities are adapting to changes in minimum wage and to gather expert recommendations for mitigating the negative impact of wage changes. Our findings are presented in summary here and the accompanying spreadsheet gives details on the articles and a bibliography. The spreadsheet information is organized into three general categories: 1) bibliographical information; 2) relationship of the articles to minimum wage ordinances; and 3) explanation of findings.

	A	B	C	D	E	F	G	H
	Reference	Jurisdiction(s)	Wage Adjustment	Mitigation	Affected Population	Issue(s) being Mitigated	Outcomes	Comments
1	<p><i>ACS, GREGORY, et al. "Understanding the Implications of Raising the Minimum Wage in the District of Columbia." Urban Institute, 2014. 6 Feb 2015. <http://www.urban.org/UploadedPDF/413200-Understanding-the-Implications-of-Raising-the-Minimum-Wage-in-the-District-of-Columbia.pdf>.</i></p>	Washington, DC	\$7.25 to \$8.25 to \$11.50 by 2016 (Pg. 5)	In ordinances:	1 out of 5 affected workers lives in families with incomes below the federal poverty level (pg.5). 1 in 5 are under the age of 25. 60%+ are between 25 and 54 years old. 70% are unmarried and do not live with children. 11% are single parents. 50%+ are African American. 20%+ are Hispanic. 80% are US citizens. 50% have a HS diploma or less (Pg. 6)	Avoid small business closures, layoffs and or cuts in community services	1. employment is unaffected by raising the minimum wage; 2. employment of workers with wages under the new minimum falls by 1 percent for every 10 percent rise in their wages; and 3. employment among workers age 24 and under who earn less than the new minimum wage falls by 1 percent for every 10 percent rise in their wages. (Pg. 5)	none
2	<p><i>Artz, Matthew. Nonprofits Fear Oakland Minimum Wage Hike. 27 July 2014. Contra Costa Times. 3 March 2015. <http://www.contracostatimes.com/my-town/ci_26221814/nonprofits-fear-oakland-minimum-wage-hike>.</i></p>	California	NA	NA	NA	NA	NA	This is a news article, not a study
3	<p><i>Card, David and Alan Krueger. "Minimum Wages and Employment: A Case Study of the Fast-Food Industry in New Jersey and Pennsylvania." THE AMERICAN ECONOMIC REVIEW 84.4 (1994): 773-793. 25 Feb. 2015. <http://davidcard.berkeley.edu/papers/njmin-aer.pdf>.</i></p>	New Jersey (Pg. 1)	\$4.25 to \$5.05 (Pg.1)	Phased Roll out in New Jersey: \$3.35 -- 1989 \$3.80 -- 4/1/1990 \$4.25 -- 4/1/1991 \$5.05 -- 4/1/1992 (Pg. 2)	410 Fast Food restaurants surveyed	Job Loss	We find no indication that the rise in the minimum wage reduced employment (Pg. 1)	none
4								

	A	B	C	D	E	F	G	H
	Reference	Jurisdiction(s)	Wage Adjustment	Mitigation	Affected Population	Issue(s) being Mitigated	Outcomes	Comments
1	<i>Cohen, Rick. "California Nonprofits Back Minimum Wage Increase - Conditionally." Nonprofit Quarterly 23 January 2015. 23 Feb 2015.</i> < https://nonprofitquarterly.org/policysocial-context/25500-california-nonprofits-backs-minimum-wage-increase-conditionally.html >.	NA	NA	NA	NA	NA	NA	This is a news article, not a study
5	<i>Cooper, Davis. "Raising The Federal Minimum Wage to \$10.10 Would Lift Wages For Millions and Provide A Modest Economic Boost." Policy Brief. Economic Policy Institute, 2013. 25 Feb. 2015.</i> < http://www.epi.org/publication/raising-federal-minimum-wage-to-1010/ >.	California, Connecticut, New Jersey, New York, Rhode Island, Federal Gov	\$7.25 to \$10.10 (Pg. 3)	\$7.25 -- 2013 \$8.29 -- 2014 \$9.15 -- 2015 \$10.10 -- 2016 (pg. 3)	All minimum wage workers	Avoid job losses or reduction in community services by employers.	job creation effects that would occur	avg. age of workers is 35. 54% work full-time the average affected worker earns half of his or her family's total income (pg. 3)
6	<i>-. "Nonprofits and the New OMB Uniform Guidance: Know Your Rights ... and How to Protect Them." 5 Jan 2015. CouncilofNonprofits.org. 3 Mar. 2015.</i> < https://www.councilofnonprofits.org/sites/default/files/documents/know-your-rights-and-how-to-protect-them.pdf	NA	NA	NA	NA	NA	NA	This is a news article, not a study
7		NA						

	A	B	C	D	E	F	G	H
	Reference	Jurisdiction(s)	Wage Adjustment	Mitigation	Affected Population	Issue(s) being Mitigated	Outcomes	Comments
1								
8	<i>Dube, Arindrajit, T. William Lester and Michael Reich. Minimum Wage Effects Across State Borders: Estimates Using Contiguous Counties. IRLE Working Paper. Institute for Research on Labor and Employment. Berkeley, 2010. 25 Feb. 2015. <http://irle.berkeley.edu/workingpapers/157-07.pdf>.</i>	see "comments"	see "comments"	see "comments"	see "comments"	see "comments"	see "comments"	This report considered minimum wage increase impact in various states, while looking at data from specific sectors, it didn't describe the specific minimum wage laws.
9	<i>Dube, Arindrajit, Suresh Naidu and Michael Reich. "The Economic Effects of a Citywide Minimum Wage." Industrial & Labor Relations Review 60.4 (2007). 26 Feb 2015. <http://www.irle.berkeley.edu/cwed/wp/economicimpacts_07.pdf>.</i>	San Francisco	\$8.50 in 2004 and \$9.14 by 2007 (Pg. 522 - pg. 3 of document)	in ordinance (Phase in for specific employers)	small business and low wage earners in small businesses	Businesses believed the increase would lead to layoffs	increased worker pay and compressed wage inequality, but did not create any detectable employment loss among affected restaurants (intro pg 1)	study of restaurnt workers
10	MEASURE FF IMPLEMENTATION AND ENFORCEMENT (Draft, not to be distributed without permission)	Oakland, CA	from 9 to 12.32 per hour	none in ordinance	NA	NA	NA	This document reports on Measure FF's compliance issues and legal obligations for compliance

	A	B	C	D	E	F	G	H
	Reference	Jurisdiction(s)	Wage Adjustment	Mitigation	Affected Population	Issue(s) being Mitigated	Outcomes	Comments
1	<i>Federal Register. Federal Awarding Agency Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Dec. 2014. 3 Mar. 2015.</i> < https://www.federalregister.gov/articles/2014/12/19/2014-28697/federal-awarding-agency-regulatory-implementation-of-office-of-management-and-budgets-uniform >.	NA	NA	NA	NA	NA	NA	This is a news article, not a study
11	<i>Flynn, Rachel. Minimum Wage Economic Impact Study. Agenda Report. City of Oakland. Oakland, 2014.</i> Z:\Special Projects\Minimum Wage Study\Existing Studies\Hausrath Study\View Report.pdf. 25 Feb. 2015. < https://oakland.legistar.com/View.ashx?M=F&ID=3142360&GUID=B1CFC4C4-7C2E-47C2-BAF9-6D000C3A3B37 >.	Oakland, CA	\$9.00 to \$12.25 (pg. 1)	Recommended by Hausrath - "phasing in... for small businesses and non-profits..."	67,000 resident and non-resident workers, "retail, food, arts, administrative, and "other services," which includes non-profits, advocacy organizations, and many neighborhood services. This "other services" sector contains the largest share of minimum wage workers."	employers - who cannot raise prices to meet increased costs - may reduce hours, positions, or service levels	preliminary study providing only potential outcomes	This is a City of Oakland Agenda Report written by Director of Planning and Building to the Interim City Administrator. It is based on the Hausrath report commissioned by city council members. It was completed before implementation of Oakland's Minimum Wage Increase.
12								

	A	B	C	D	E	F	G	H
	Reference	Jurisdiction(s)	Wage Adjustment	Mitigation	Affected Population	Issue(s) being Mitigated	Outcomes	Comments
1	<i>Hobson, Bill. The Missing Piece of the Minimum Wage Debate. with Paul Solman. Making Sense. PBS. 25 April 2014. 23 February 2015. <http://www.pbs.org/newshour/making-sense/the-missing-piece-of-the-minimum-wage-and-inequality-debate/>.</i>	Seattle, WA	NA	NA	Nonprofits	NA	NA	This is a news article, not a study
13	<i>Reich, Michael, Ken Jacobs and Annette Bernhardt. "Local Minimum Wage Laws: Impacts on Workers, Families and Business." IRLE Working Paper No. 104-14. Institute for Research on Labor and Employment, 2014. 25 Feb 2015. <http://irle.berkeley.edu/workingpapers/104-14.pdf>.</i>	San Francisco, CA San Jose, Ca Albuquerque, NM Bernalillo County, NM Montgomery County, MD Santa Fe County, NM Santa Fe, NM Prince George's County, MD Washington DC	Various	In Ordinances: "delayed coverage of nonprofits and small businesses (less than 10 employees) for one year", phase in "initially exempted small businesses", "exempt nonprofits whose primary source of funding is from Medicaid waivers", "exempt state and federal agencies"	"Groups of workers that are exempted by some localities include employers' family members; workers exempt under state minimum wage law; interns working for academic credit; workers enrolled in apprenticeship programs; persons working fewer than two hours a week in the city or county"	Avoid layoffs and/or reduction in services from nonprofits	minimum wage mandates raise the incomes of low-wage workers and their families, and that the costs to businesses are absorbed largely by reduced turnover and small price increases among restaurants.	none
14	<i>Miller, Yawu. "Groups Push for Youth Jobs." The Bay State Banner 25 Feb. 2015. 3 March 2015. <http://baystatebanner.com/news/2015/feb/25/groups-push-youth-jobs/>.</i>		NA	NA	Youth Summer Jobs programs	NA	NA	This is a news article, not a study
15								

	A	B	C	D	E	F	G	H
	Reference	Jurisdiction(s)	Wage Adjustment	Mitigation	Affected Population	Issue(s) being Mitigated	Outcomes	Comments
1	<i>National Employment Law Project. "City Minimum Wage Laws: Recent Trends and Economic Evidence on Local Minimum Wages." Brief. 2014. 26 Feb. 2015. <http://www.nelp.org/page/-/rtmw/City-Minimum-Wage-Laws-Recent-Trends-Economic-Evidence.pdf?nocdn=1>.</i>	New York, and Rhode Island	Various	In the ordinances	low wae workers	anticipated job loss	The economic evidence indicates that local minimum wages have proven to be effective tools for raising pay and improving job quality without reducing employment or encouragin businesses to leave cities (pg. 1)	Page 3 has a summary of the previous research with a summary of the findings about the impact on job loss
16	<i>Pathe, Simone. "How to raise the minimum wage 107 percent without losing jobs or profit." Making SenSe 28 Jan. 2015. 24 Feb. 2015. <http://www.pbs.org/newshour/making-sense/how-to-raise-the-minimum-wage-107-percent-without-losing-jobs-or-profit/>.</i>	NA	NA	NA	NA	NA	NA	This is a news article, not a study
17	<i>Paylocity. "Local Minimum Wage Summary." 29 Dec 2014. Paylocity.com. 26 Feb 2015. <http://www.paylocity.com/resources/recent_announcements/Local%20Minimum%20Wage%20Summary%202015.pdf>.</i>	Bloomington, IN San Fracisco, CA Marion County, CA San Jose, Ca Richmond, CA Albuquerque, NM Las Cruces, NM Buffalo, NY Multnomah County, OR Brookline, MA Ypsilanti, MI Milwaukee, WI Oakland, CA Seattle, WA Chicago, IL Berkeley, CA	various	in the ordinances	Different for each Jurisdiction	avoid job loss, business closures, and loss of community services	See "comments"	Summary of the logisitics of minimum wage Ordinances from across the nation
18								

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
2	Albuquerque, NM	Minimum Wage Ordinance	City	https://www.cabq.gov/legal/documents/minimum-wage-ordinance.pdf/	Legislative Adoption	11/6/2012
3	Berkeley, CA	Minimum Wage Ordinance	City	http://www.ci.berkeley.ca.us/uploadedFiles/Housing/Level_3_-_General/MW%20Ordinance%20from%20Records%20online.pdf	Legislative Adoption	7/1/2014 (O-8)
4	Bernalillo County, NM	Minimum Wage Ordinance	County	https://stateinnovation.org/uploads/asset/asset_file/1737/2013_Bernalillo_County_Ordinance_12.pdf	Legislative Adoption	4/23/2013 (O-4)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
2	Albuquerque, NM	No Reference	\$6.75 -- 1/1/2007 \$7.15 -- 1/1/2008 \$7.50 -- 1/1/2009 \$8.50 -- 1/1/2013 \$8.60 -- 1/1/2014 (O-2)	\$5.75 -- 1/1/2007 \$6.15 -- 1/1/2008 \$6.50 -- 1/1/2009 \$7.50 -- 1/1/2013 \$7.60 -- 1/1/2014 \$7.75 -- 1/1/2015 (O-2)
3	Berkeley, CA	No Reference	\$10.00 -- 10/1/2014 \$11.00 -- 10/1/2015 (O-2)	No Reference
4	Bernalillo County, NM	No Reference	\$8.50 -- 1/1/2014 (O-2)	for employers who provide healthcare and/or childcare benefits to an employee during any pay period for which the employer pays an amount for those healthcare benefits equal to or in excess of an annualized cost of \$250,000 beginning 4/1/2013 and each year thereafter, the minimum wage for that employee shall be an hourly rate of \$1.00 less than the current minimum wage otherwise applicable to employees who do not receive such benefits. (O-3)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
2	Albuquerque, NM	\$3.83 -- 1/1/2013 \$5.16 -- 1/1/2014 \$5.25 -- 1/1/2015 (O-3)	No Reference	\$8.75 (O-2)	1/1/2015 (O-2)
3	Berkeley, CA	No Reference	No Reference	\$12.53 (O-2)	10/1/2016 (O-2)
4	Bernalillo County, NM	No Reference	For any employee who cutomarily and reglarly recieves tips or gratuities, the minimum wage shall remain at the Federal Minimum wage of \$2.13 per hour do not equal the the minimum hourly wage established in Section A, the employer shall make up the different (O-3)	\$9.00 (O-2)	1/1/2015 (O-2)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
2	Albuquerque, NM	Yes (O-2)	Yes	No Reference
3	Berkeley, CA	Yes (O-2)	No Reference	the requirements of the minimum wage for Nonprofit Corporation Employers shall not take effect until 10/1/2015 and will be \$11.00 per hour (O-2)
4	Bernalillo County, NM	Yes (O-2)	Yes -- on January 1st of successive years by the Bernalillo County Commission based on the increase if any in the cost of living and rounded to the nearest multiple of five cents. Shall be calculated based on the percentage increase, if any, of the Consumer Price Index or its successor index as published by the US department of Labor or its successor agency. (O-2)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
2	Albuquerque, NM	<p>Interns working for academic credit (exempt)</p> <p>Work-study (exempt)</p> <p>Person who received a certificate from the state labor commissioner pursuant to § 50-4-23 NMSA 1978 or § 50-4-21(c)(12) NMSA 1978 beginning on January 1, 2013, employers pay tipped employees at least 45% of the minimum wage in cash. Beginning on January 1, 2014, and each year thereafter, employers must pay tipped employees at least 60% of the minimum wage in cash (O-1)</p>	<p>Any person, partnership, association, corporation, business trust, legal representative, or any other entity, or group of persons or entities, including corporate officers or executives, who is required to have a business license or business registration (O-1)</p>	<p>a person who performs work for an employers for monetary compensation for at least two hours in a given week within the municipal limits (O-1)</p>
3	Berkeley, CA	<p>Waiver through collective bargaining (O-2)</p>	<p>any person, including corporate officers or executives as defined in Section 18 of the California Labor Code, employs or exercises control over the wages, hours or working conditions of any employee (O-2)</p>	<p>in a calender week performs at least 2 hours of work for an employer within the geographical boundaries of the city (O-3)</p>
4	Bernalillo County, NM	<p>Any person employed by a parent, spouse, or sibling any person performing babysitting service in the employer's home on a casual basis any employee under the age of 16 (O-2)</p>	<p>any person, who is required to have a business registration from the County and who directy or indirectly or through an agent or any other person including but not limited to through a subsidiary or through the services of a temporary services agency, a staffing agency, a building service contractor, or any similar entity (O-1)</p>	<p>Any person who performs work for an Employer for monetary compensation for at least two (2) hours in a given week within he unicorporated limited of the County (O-1)</p>

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
2	Albuquerque, NM	No Reference	No Reference	an employee shall recover the balance of the wages owed, including interest thereon, and an additional amount equal to twice the wages owed, and any other legal or equitable relief. (O-4)	City Attorney (O-4)	No Reference
3	Berkeley, CA	Yes - Retaliation by an employer (O-3)	Yes, an other person or entity acting on behalf of the public as provided for under applicable state law (O-6)	a fine of \$1,000 for retaliation a fine of \$500 for failure to post notice reinstatement, the payment of back wages at the rate of interest specified Reimbursement of the city's administrative costs of enforcement and reasonable attorney's fees (O-6)	Department of Finance or other city department (O-2)	No Reference
4	Bernalillo County, NM	Yes - retaliation by employers is prohibited and subject to civil action	No Reference	an employee shall recover the balance of the wages owed, including interest thereon, and an additional amount equal to twice the wages owed, and any other legal or equitable relief. (O-3)	The county (O-3)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
	Bloomington, IN	Living Wage Ordinance	City	https://bloomington.in.gov/code/level2/TIT2ADPE_CH2.28BLLIWAOR.html	Legislative Adoption	2006 (O-9)
5						

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
	Bloomington, IN	No Reference	No Reference	Up to 15% of the covered employer's contribution to health insurance. (0-5)
5				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
	Bloomington, IN	See Tipped Employee	The living wage for covered employees who are tipped employees of a covered employer shall be the living wage for other covered employees minus ten percent of the annual sales for the employer prorated on an hourly basis per employee. (O-5)	No Reference	No Reference
5					

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
5	Bloomington, IN	a not-for-profit covered employer receiving assistance from the city shall not be obligated to pay the full living wage in the first 2 years (need not be consecutive). But the not-for-profit organization shall reduce the gap between its wages and the living wage by 15% at the beginning of the first year and by 35% at the beginning of the second year of award. (O-5)	Inflation Adjustment. The living wage shall be increased at the beginning of each calendar year by the same percentage that the Consumer Price Index for All Urban Consumers increases during the year ending the previous June 30. (O-5)	A covered employer may request that the mayor propose that the common council grant a partial or whole waiver to the requirements of this chapter. (O-8) A not-for-profit covered employer may apply for a hardship waiver with the city legal department where payment of the living wage would cause a demonstrated harm to services and the common council finds that said harm outweighs the benefits of this chapter. All hardship waiver requests shall include the following: 1. The award to which this chapter applies; 2. An explanation of how the payment of the living wage will cause undue hardship; 3. A statement of lower wage paid by the covered employer; 4. A written plan to fully comply with this chapter within a reasonable period of time, not to exceed three years. (O-9)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
5	Bloomington, IN	1. Employed pursuant to common construction wage laws as long as the employee is paid a living wage; 2. Less than eighteen years of age, who is hired as part of a schoolto work program or is hired in seasonal or parttime work; 3. A student who serves in a workstudy program or as an intern in a position that advances the student's career potential; 4. A trainee participating for not more than six months in a training program; 5. Employed in concert with enrollment in a governmentally funded vocational rehabilitation program; 6. A volunteer working without pay; or 7. Exempted under Section 14(c) of the Fair Labor Standards Act due to his or her disabilities. (O-4)	"Covered employer" means an employer who must pay at least some of its employees a living wage and includes: (O-4)	"Covered employee" means a person who is employed in a part-time, share time, temporary, or full-time status who meets the following conditions: (O-4)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
	Bloomington, IN	No Reference	Any covered employee who believes his or her employer is not complying with this chapter may file a complaint in writing with the city legal department within a year after the alleged violation. (O-7)	after notice of finding and hearing, a covered employer is found to be noncompliant, the covered employer shall correct violations and make restitution of wages retroactively to the beginning of the contract term within fifteen days, unless otherwise extended by way of agreement between the covered employer and city legal department. (O-7)	No Reference	No Reference
5						

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS
Prepared by: Urban Strategies Council
May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
6	Boston, MA	Living Wage Ordinance	City	http://www.cityofboston.gov/Tridion/images/livwageord_tcm1-693.pdf	Legislative Adoption	1998 (O-1)

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
		No Reference	No Reference	No Reference
	Boston, MA			
6				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
		No Reference	No Reference	No Reference	No Reference
	Boston, MA				
6					

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
6	Boston, MA	No Reference	No Reference	1. construction contracts awarded by the City of Boston that are subject to the State prevailing wage law 2. assistance or contracts awarded to youth programs, as defined in this chapter, provided that the contract is for stipends to youth in the program 3. assistance or contracts awarded to work-study or cooperative education aprogram, provided that the assistance or contract is for stipends to students in the programs 4. assistance and contracts awarded to vendors wh oprovide services to the City and are awarded to vendors who provide trainees a stipend or wage as part of a job training program and provides the trainees with additional services, which may include but are not limited to room and board, case managements, and job readiness services, and provided further that the trainees do not replace current City funded positions. Hardship Waiver General Waiver (O-3)

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
		No Reference	any for-profit employer who employs at least twenty-five (25) full time employees who has been awarded a service contract or service subcontract after the effective date of this section. (O-1)	a person employed by a covered vendor who directly expends or would directly expend his or her time on the service contract with the City of Boston or on the service subcontract (O-1)
	Boston, MA			
6				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
		No Reference	Yes -- a person or an employee may file a complaint with the designated department (O-8)	back-pay and the remedies and penalties associated with the Living Wage Advisory Committee (O-8)	Living Wage Advisory Committee (O-8)	No Reference
	Boston, MA					
6						

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
	Buffalo, NY	Living Wage Ordinance	City	https://www.ci.buffalo.ny.us/files/12_1/Living%20Wage%20Commission/living%20wage%20ordinance3-07.pdf	Legislative Adoption	1999 (Amended in 2002 and 2007)
7						

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
		No Reference	\$9.08 -- 2003 \$10.15 -- 2004 (O-3)	\$8.08 -- 2003 \$9.03 -- 2004 \$9.59 -- 2007 (O-3)
	Buffalo, NY			
7				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
		No Reference	No Reference	\$10.77 (0-3)	2007 (0-3)
	Buffalo, NY				
7					

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
		Yes (O-3)	Yes -- January 1, 2008 and on January 1 of each year thereafter assuming inflation, the rate will be increased by an amount corresponding to the increase, if any, in the National Consumer Price Index for all urban consumers (CPI-U) as published by the U.S. Department of Labor, for the year preceding the prior year. (O-3)	General exemption. Exemptions may be granted where application of this section to a particular contract is found by the city to violate specific state or federal statutory, regulatory or constitutional provision or provisions, and Common Council approves the exemption on that basis. (O-8) Youth employment exemption. An exemption to this section may be granted where a covered employer is an organization who regularly employs individuals under the age of 21 in a summer youth program, school-to-work program, or other related seasonal part-time work. The exemption shall only apply to these employees. The City of Buffalo shall be considered such an organization. (O-8) Not-for-profit organizations. An exemption to this section may be granted to not-for-profit organizations which perform services for the City or its departments. (O-8)
7	Buffalo, NY			

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
		See Employers Exempted	The City of Buffalo or any contractor or subcontractor directly involved in providing a covered service to the City of Buffalo. (O-2)	any employee who is employed (including fulfilling a work requirement under the Family Assistance or Safety Net Program) as a service employee of a contractor or subcontractor on or under the authority of one or more service contracts and who expends any of his or her time thereon, including but not limited to food-service employees, janitorial employees, security guards, parking attendants, landscaping employees, clerical employees and waste management employees. (O-2)
	Buffalo, NY			
7				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
7	Buffalo, NY	Retaliation prohibited. A covered employer shall not discharge, reduce the compensation of or otherwise discriminate against any employee for making a complaint, otherwise asserting his or her rights under this section, or participating in any of its proceedings. (O-5)	No Reference	Sanctions for failure to pay a living wage. Where appropriate, following the receipt of a grievance, the Commission shall have the authority to conduct a hearing to determine the validity of the grievance or complaint. After such a hearing, by majority vote of the Commission, the Commission may recommend that sanctions be imposed by the City department head responsible for the service contract in question. The recommended sanctions may include one or more of the following: [1] Withholding payment of any amount due. [2] Wage restitution for each affected employee. [3] Suspension or termination of ongoing contracts. [4] Ineligibility for further city contracts for up to three years or until all penalties and restitution have been paid in full. [1] Reinstatement of a discharged or demoted employee; [2] Back pay to the date of the violation; (O-4)	COMMISSION ON A LIVING WAGE -- The body created by this section charged with overseeing and evaluating this section and holding hearings to investigate noncompliance with its provisions. (O-2)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
8	Emeryville, CA	Minimum Wage Ordinance	City	http://rt.com/usa/257621-emeryville-minimum-wage-hike/	Legislative	May-15
9	Las Cruces, NM	Minimum wage Ordinance	City	http://www.las-cruces.org/~media/lcpublicwebdev2/site%20documents/article%20documents/pio/minimum%20wage%20ordinance/minimum%20wage.aspx?la=en	Legislative Adoption	9/8/2014 (O-2)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
	Emeryville, CA		14.44	
8				
	Las Cruces, NM	No Reference	\$8.40 -- 1/1/2015 \$9.20 -- 1/1/2016 (0-5)	No Reference
9				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
8	Emeryville, CA			\$16.00	Jul-19
9	Las Cruces, NM	No Reference	A tipped employee in someone who regularly receives more than \$30 per week in tips 1/1/2015 40% of the minimum wage 1/1/2016 50% of the minimum wage 1/1/2017 60% of the minimum wage (O-6)	\$10.10 (O-5)	1/1/2017 (O-5)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
8	Emeryville, CA	Yes		Business under 55 employees
9	Las Cruces, NM	Yes (0-5)	Yes starting 1/1/2018 abse on measurement in August of the previous year of the Consumer Price Index (All Urban Wage Earners and Clerical Workers, US City Average for All items) for the west region (0-5)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
	Emeryville, CA			
8				
9	Las Cruces, NM	No Reference	any individual, partnership, association, corporation, business trust, legal representative or any organized group of persons employing one or more employees at any one time, acting directly or indirectly in the interests of an employer in relation to an employee and shall include the City, businesses having contracts with the City in excess of \$30,000 which provide services to or on behalf of the City, and businesses which are required to have a City issued business license, but does not include any other governmental entities (O-3)	a person who is employed by an employer within the city. (O-3)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
	Emeryville, CA					
8						
	Las Cruces, NM	No Reference	No Reference	No Reference	No Reference	Civil action through the Third Judicial District Court, County of Dona Ana, State of New Mexico (O-7)
9						

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
10	Los Angeles	Minimum wage ordinance	City	http://www.latimes.com/local/lanow/la-me-ln-minimum-wage-hike-20150518-story.html#page=1	Legislative Adoption	5/19/2015
11	Louisville, KY	Minimum wage ordinance	City	http://louisvilleky.gov/sites/default/files/metro_council/pdf_files/o47014minimumwage.pdf	Legislative Adoption	12/18/2014
12	Milwaukee, WI	Minimum Wage Ordinance	City	http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2014-PDF/January/District01/Councilapprovesminimumhourlywa.pdf	Legislative Adoption	7/22/2014 (0-3)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
10	Los Angeles	A provision giving 12 days of paid time off each year was taken out of the legislation for further study.		No Reference
11	Louisville, KY	No Reference	\$8.10 -- 07/1/2015 \$9.15 -- 07/1/2016 (O-2)	No Reference
12	Milwaukee, WI	No Reference	No Reference	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
10	Los Angeles	No Reference	No exemption	\$15 by 2020	2020
11	Louisville, KY	No Reference	See Exemptions	\$10.10 (O-2)	07/1/2017 (O-2)
12	Milwaukee, WI	No Reference	No Reference	\$10.80 (O-1)	3/1/2015 (O-1)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
10	Los Angeles	\$10.50 -- 7/16, \$13.25 -- 2017, \$15.00 -- 2020	Pegged to the consumer price index after 2020	Businesses and nonprofits with under 25 employees have an extra year to phase in the change.
11	Louisville, KY	Yes (O-2)	No Reference	No Reference
12	Milwaukee, WI	No Reference	No Reference	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
10	Los Angeles	None		
11	Louisville, KY	Tipped Employees shall be paid, however, at a rate that is Forty-Five Percent (45%) of the minimum wage, with non-tipped hours (i.e., work with no customer contact) worked to be paid at minimum wage. (O-2)	"Employer"- Shall be the same definition as found in KRS 337.010(1)(d). (O-2)	"Employee"- Shall be the same definition as found in KRS 337.010(2)(a) et. seq. Kentucky Revised Statute (O-2)
12	Milwaukee, WI	A development agreement shall include provisions requiring, unless precluded by s. 66.0903, Wis. Stats., that an employee who performs work that is funded by financial assistance from the city receive, at a minimum, a living wage as defined in s. 310-13-2-a. (O-4)	No Reference	all city employees, employees paid under city service contracts, or employees paid by developers receiving \$1,000,000 or more of city financial support (O-4)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
10	Los Angeles					
11	Louisville, KY	any Employer found to have violated any of the provisions of §112.04 shall be subject to a civil penalty not to exceed \$100 per day, per Employee who fails to receive the minimum wage as set forth in this chapter. (O-3)	No Reference	Any Employee who is paid less than the minimum wage established under the provisions of §112.04, may bring a civil cause of action, authorized in KRS 337.020, against his/her Employer for the full amount of wages due from the Employer. (O-3)	No Reference	No Reference
12	Milwaukee, WI	No Reference	No Reference	No Reference	No Reference	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
13	Montgomery County, MD	Minimum wage Ordinance	County	http://www6.montgomerycountymd.gov/content/council/pdf/agenda/cm/2013/131121/20131121_HHS1.pdf	Legislative Adoption	9/17/2013 (O-1)
14	Mountain View, CA	Minimum wage Ordinance	City	https://www.municode.com/library/ca/mountain_view/codes/code_of_ordinances?nodeId=PTIITHCO_CH4_2WA_ARTIICIDEMIWA	Legislative Adoption	7/1/2015 (O-7)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
13	Montgomery County, MD		No Reference	may reduce the County minimum wage to any employee who is eligible to receive health insurance by all or part of the per-employee hourly cost of the employer's share of the premium for that insurance (O-6)
14	Mountain View, CA	No Reference	No Reference	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
13	Montgomery County, MD	No Reference	See Employee Exemptions	\$12.00 (O-5)	7/1/2017 (O-5)
14	Mountain View, CA	No Reference	No Reference	\$10.30 (O-2)	1/1/2016 (O-2)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
13	Montgomery County, MD	No Reference	Yes -- effective of 7/1/2017 and July 1 of each subsequent year, but the annual average increase, if any, in the Consumer Price Index for the previous calendar year (O-5)	No Reference
14	Mountain View, CA	No Reference	Yes -- 1/1/2016 the minimum wage shall increase by an amount corresponding to the prior year's increase, if any, in the cost of living. The prior year's increase in the cost of living shall be measured by the percentage increase, if any, as of August of the immediately preceding year over the level as of August of the previous year of the Consumer Price Index (Urban Wage Earners and Clerical Workers, U.S. City Average for All Items) or its successor index (O-2)	State, federal and county agencies, including school districts, shall not be required to pay minimum wage when the work performed is related to their governmental function. However, for work that is not related to their governmental function, including, but not limited to: booster or gift shops, non-K-12 cafeterias, on-site concessions and similar operations, minimum wage shall be required to be paid. Minimum wage shall also be required to be paid by lessees or renters of facilities or space from an exempt organization. Any organization claiming "auxiliary organization" status under California Education Code Sec. 89901 or Sec. 72670(c) shall not be required to pay minimum wage. The organization, upon request of the city, shall provide documentary proof of its auxiliary organization status. (O-3)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
13	Montgomery County, MD	The County minimum wage does not apply to an employee who: 1. is exempt from the minimum wage requirements of the State or Federal Act; 2. is tipped employee under the State Act; or 3. is subject to an opportunity wage under the State or Federal Act. (O-6)	any person, individual, proprietorship, partnership, joint venture, corporation, limited liability company, trust, association, or other entity that employs 2 or more persons in the County. Employer does not include the United States, any State, or any local government. Federal Act means the federal Fair Labor Standards Act of 1938, as amended. (O-4)	any person permitted or instructed to work or be present by an employer in the County and who is an employee subject to the minimum wage requirements of the Federal Act or the State Act. (O-4)
14	Mountain View, CA	To the extent required by federal law, all or any portion of the applicable requirements of this article may be waived in a bona fide collective bargaining agreement, provided that such waiver is explicitly set forth in such agreement in clear and unambiguous terms. (O-3)	shall mean any person, including corporate officers or executives, as defined in Sec. 18 of the California Labor Code, who directly or indirectly through any other person, including through the services of a temporary employment agency, staffing agency, or similar entity, employs or exercises control over the wages, hours, or working conditions of any employee and who is either subject to the city's business license requirements or maintains a business facility in the city. (O-2)	In a calendar week performs at least two (2) hours of work for an employer as defined below (O-2)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
13	Montgomery County, MD	No Reference	No Reference	A covered employee who was paid a wage rate less than the County minimum wage in violation of this Article may file a complaint with the Director under Section 27-7. (O-6)	Office of Human Rights (O-4)	No Reference
14	Mountain View, CA	Yes (O-4)	An employee or any other person may report to the city in writing any suspected violation of this article. (O-4)	The city may issue an administrative citation with a fine of not more than fifty dollars (\$50) for each day or portion thereof and for each employee or person as to whom the violation occurred or continued. (O-5) Relief: reinstatement, payment of back wages, and payment of an additional sum as a civil penalty of \$50 each day of the violation, interest is based on subdivision (b) of Sec. 3289 of the California Civil Code, reimbursement of the city's administrative costs of enforcement and reasonable attorney's fees (O-6)	The city manager or designee shall be authorized to coordinate implementation and enforcement of this article and may promulgate appropriate guidelines or rules for such purposes. (O-4)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
15	Oakland, CA	Minimum Wage Ordinance	City	http://www.oaklandcityattorney.org/PDFS/Guides%20and%20FAQs/Revised%20Measure%20FF%20FAQ%20Feb%202015.pdf	Ballot Measure	11/3/2014
16	Prince George County, MD	Minimum Wage Bill	County	http://www.princegeorgescountymd.gov/sites/CountyCouncil/News/Documents/CB942013.pdf	Legislative Adoption	11/27/2013 (O-3)
17	Richmond, CA	Minimum Wage Ordinance	City	http://councilofindustries.org/wp-content/uploads/2014/04/041514-Min-Wage-Inc-Ordinance.pdf	Legislative Adoption	2014 (O-8)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
15	Oakland, CA	Sick leave defined in California Labor Code § 233(b)(4), except that the definition here extends beyond the Employee's own illness, injury, medical condition, need for medical diagnosis or treatment, or medical reason to also encompass time taken off work by an Employee for the purpose of providing care or assistance to another persons specified below with an illness, injury, medical condition, or need for medical diagnosis or treatment (O-4)	No Reference	No Reference
16	Prince George County, MD	No Reference	\$8.40 -- 10/1/2014 \$9.55 -- 10/1/2015 \$10.75 -- 10/1/2016 (O-2)	No Reference
17	Richmond, CA	No Reference	\$9.00 -- until 12/31/2014 \$9.60 -- 1/1/2015 \$11.52 -- 1/1/2016 (O-4)	If the Employer pays at least \$1.50 per hour per Employee towards an Employee medical benefits plan, which allows the Employee to receive employer compensated care from a licensed physician, the Employer shall pay Employees the Minimum Wage as defined in this section, less \$1.50, so long as such deduction is consistent with Section 7.108.100. (O-4)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
15	Oakland, CA	No Reference	No Reference	\$12.25 (O-4)	3/2/2015 (O-4)
16	Prince George County, MD	No Reference	The computation of tipped wages for the minimum wage required under this Section shall be the same as the manner of computation of tipped wages in Section 3-419, Labor and Employment Article, Annotated Code of Maryland (the Maryland Wage and Hour Law). (O-2)	\$11.20 (O-2)	10/1/2017 (O-2)
17	Richmond, CA	No Reference	No Reference	\$12.30 (O-4)	1/1/2017 (O-4)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
15	Oakland, CA	No Reference	Yes -- from 1/1/2016 the minimum wage shall increase by an amount corresponding to the prior calendar year's increase, if any in the Consumer Price Index for urban wage earners and clerical workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area (or if such index is discontinued, then in the most similar successor index) (O-4)	No Reference
16	Prince George County, MD	Yes	No Reference	No Reference
17	Richmond, CA	Yes	Yes -- 1/1/2018, and each year thereafter, the Minimum Wage shall increase by an amount corresponding to the prior year's increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area, or any successor index as published by the U.S. Department of Labor or its successor agency. (O-4)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
15	Oakland, CA	Any waiver by an individual Employee of any of the provisions of this Chapter shall be deemed contrary to public policy and shall be void and unenforceable, except that Employees shall not be barred from entering into a written valid collective bargaining agreement waiving a provision of this Chapter if such a waiver is set forth in clear and unambiguous terms. (O-6)	any person who directly or indirectly (including through the services of a temporary services or staffing agency or similar entity) employs or exercises control over the wages, hours or working conditions of and Employee. (O-4)	in a particular week performs at least two (2) hours of work winin the geographic boundaries of the city for an employer AND qualifies as an employee entitled to payment of a minimum wage from any employer under the California minimum wage law, as provided under Section 1197 of the California Labor Code and wage orders published by the California Industrial Welfare Commission (O-4)
16	Prince George County, MD	The County minimum wage requirements shall not apply to an employee who: 1. is exempt from the minimum wage requirements of the Maryland Wage and Hour Law or the Fair Labor Standards Act; 2. is an individual under the age of 19 years and is employed no more than twenty (20) hours in a week. (O-2)	a person who 19 acts directly or indirectly in the interest of another employer with an employee and includes a governmental unit. (O-1)	No Reference
17	Richmond, CA	Employee shall not include any person who is employed through the YouthWORKS Youth Summer Employment Program, which is the City of Richmond program that offers Richmond youth, ages 15 to 21, the chance to work in a variety of local jobs to gain professional working experience during the summer months. (O-3)	any person, as defined in Section 18 of the California Labor Code, who directly or indirectly through any other person, including through the services of a temporary employment agency or similar entity, employs or exercises control over the wages, hours or working conditions of any Employee. Employer, however, shall not include any Employer for which fewer than ten (10) persons perform work for compensation during a given week, including all persons performing work for compensation on a full-time, part-time, or temporary basis. (O-3)	In a calendar week performs at least two (2) hours of work for an Employer as defined below within the geographic boundaries of the City; and ualifies as an employee entitled to payment of a minimum wage from any Employer as defined below under the California minimum wage law, as provided under Section 1197 of the California Labor Code and wage orders published by the California Industrial Welfare Commission, or is a participant in a Welfare-to-Work Program (O-2)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
15	Oakland, CA	Service Charges for hospitality shall be paid to the hospitality worker who actual completes the work Retailiation is barred (O-5)	No Reference	including not limited to back pay, reinstatement and/or injunctive relief. The court shall award reasonable attorney's fees, witness fees, and expenses to any plaintiff who prevails in an action to enforce this Chapter. Negligence or intention to violate this Chapter the is liable for the maximum of \$1,000 per violation (O-6)	No Reference	No Reference
16	Prince George County, MD	No Reference	No Reference	No Reference	No Reference	No Reference
17	Richmond, CA	Yes (O-5)	Any person aggrieved by a violation of this Chapter, any entity with a member which is aggrieved by a violation of this Chapter, or any other person or entity acting on behalf of the public as provided for under applicable state law, may bring a civil action (O-7)	Relief: reinstatement, payment of back wages, payment of an additional sum as a civil penalty and of the City's costs of enforcement and reasonable attorneys' fees. (O-6)	Employment and Training Department of the City of Richmond or such other City department as the City Manager shall designate. (O-3)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
18	San Diego, CA	Minimum wage Ordinance	City	http://docs.sandiego.gov/municode/MuniCodeChapter02/Ch02Art02Division42.pdf	Legislative Adoption	7/14/2014 (O-19)
19	San Francisco, CA	Minimum wage Ordinance	City/County	http://sfgsa.org/modules/showdocument.aspx?documentid=12434	Legislative Adoption	2014 (Amendment)

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
18	San Diego, CA	Employers must provide an Employee with one hour of Earned Sick Leave for every thirty hours worked, but Employers are not required to provide an Employee with Earned Sick Leave in less than one-hour increments for a fraction of an hour worked. Earned Sick Leave must be compensated at the same hourly rate or other measure of compensation as the Employee earns from his or her employment at the time the Employee uses the Earned Sick Leave. (O-8-10)	\$9.75 -- 1/1/2015 \$10.50 -- 1/1/2016 (O-12)	No Reference
19	San Francisco, CA	No Reference	\$12.25 -- 5/1/2015 \$13.00 -- 7/1/2016 \$14.00 -- 7/1/2017 (O-4)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
	San Diego, CA	No Reference	No Reference	\$11.50 (O-12)	1/1/2017 (O-12)
18					
	San Francisco, CA	No Reference	No Reference	\$15.00 (O-4)	7/1/2018 (O-4)
19					

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
	San Diego, CA	Yes (O-12)	Yes starting in 2019 (O-12)	No Reference
18				
	San Francisco, CA	Yes (O-4)	Yes starting in 7/1/2019 (O-4)	No Reference
19				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

Prepared by: Urban Strategies Council

May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
	San Diego, CA	special license user under California Labor Code sections 1191 or 1191.5 any person employed under a publicly subsidized summer or short-term youth employment program, such as the San Diego County Urban Corps Program any student employee, camp counselor, or program counselor of an organized camp as defined in California Labor Code section 1182.4. any person who is employed as an independent contractor as defined by the California Labor Code. (O-5)	Employer means any person or persons, as defined in California Labor Code section 18, who exercises control over the wages, hours, or working conditions of any Employee, or suffers or permits the Employee to work, or engages the Employee. Employer does not include a person receiving services under the California In-Home Supportive Services program pursuant to Welfare and Institutions Code section 12300. (O-5)	In one or more calendar weeks of the year performs at least two hours of work within the geographic boundaries of the City for an Employer (O-5)
18				
	San Francisco, CA	No Reference	defined by Section 18 of the Clifornia Labor Code including corporate officers or excutives, who directly or indirectly or through an gent any other person, including through the services of a temporary services or staffin agency or similar entity, employs or exercises control over the wages, hours or working conditions of any Employee (O-2)	a person who in a week performs at least 2 hours of work for an Employer within the geographic boundaries of the city and qualififes as an employee entitled to payment of minimum wage from any employer under the California minimum wage law under Section 1197 of the California Labor Code (O-2)
19				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
18	San Diego, CA	Employers are prohibited from engaging in Retaliation against an Employee for exercising any right provided pursuant to this Division. (O-16)	No Reference	Any Employer who violates any requirement of this Division is subject to a civil penalty for each violation of up to, but not to exceed, \$1,000 per violation; except that any Employer who fails to comply with the notice and posting requirements of this Division is subject to a civil penalty of one hundred dollars for each Employee who was not given appropriate notice pursuant to that section, up to a maximum of \$2,000. (O-17)	The City Council will designate the Enforcement Office. (O-16)	No Reference
19	San Francisco, CA	No Reference	Yes -- An employee or any other person may report to the Office in writing any suspected violation of this Chapter (O-7)	can order relief not limited to the payment of any back wages and the payment of an additional sum as an administrative penalty in the amount of \$50 of each employee or person for each day that the violation occurred or continued. (O-6) back wages, the payment of an additional sum (O-8)	Office of Labor Standard Enforcement or its successor (O-2)	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
	San Jose, CA	Minimum wage Ordinance	City	http://www3.sanjoseca.gov/clerk/minwage/minwageord.pdf	Ballot Measure	11/6/2012
20						
	Santa Fe, NM	Living Wage Ordinance	City	http://www.santafenm.gov/document_center/document/1160	Legislative Adoption	2003
21						

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
	San Jose, CA	No Reference	No Reference	No Reference
20				
	Santa Fe, NM	No Reference	No Reference	The value of health care benefits and child care shall be considered as an element of wages (O-1)
21				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
	San Jose, CA	No Reference	No Reference	\$10.00 (O-2)	1/1/2014 (O-2)
20					
21	Santa Fe, NM	No Reference	For workers who customarily receive more than \$100 per month in tips or commissions, any tips or commissions received and retained by a worker shall be counted as wages and credited toward satisfaction of the minimum wage provided that, for tipped workers, all tips received by such workers are retained by the workers, except that the pooling of tips among workers shall be permitted. (O-1)	\$10.66 (O-1)	03/1/2014 (O-1)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
	San Jose, CA	No Reference	Yes -- 1/1/2015 the Minimum Wage shall increase by an amount corresponding to the prior year's increase, if any, in the cost of living. The prior year's increase in the cost of living shall be measured by the percentage increase, if any, as of August of the immediately preceding year over the level as of August of the previous year of the Consumer Price Index (Urban Wage Earners and Clerical Workers, U.S. City Average for All Items) or its successor index as published by the U.S. Department of Labor or its successor agency (O-2)	No Reference
20				
	Santa Fe, NM	Yes (O-1)	Beginning 1/1/2009 and each year there after the minimum wage shall be adjusted upward by an amount corresponding to the previous year's increase, if any, in the Consumer Price Index for the Western Region for Urban Wage Earners and Clerical Workers (O-1)	Nonprofit organizations whose primary source of funds is from medicaid waivers (O-1)
21				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
	San Jose, CA	To the extent required by federal law, all or any portion of the applicable requirements of this Chapter may be waived in a bona fide collective bargaining agreement, provided that such waiver is explicitly set forth in such agreement in clear and unambiguous terms. (O-3)	any person, including corporate officers or executives, as defined in Section 18 of the California Labor Code, who directly or indirectly through any other person, including through the services of a temporary employment agency, staffing agency or similar entity, employs or exercises control over the wages, hours or working conditions of any Employee and who is either subject to the Business License Tax Chapter 4.76 of the Municipal Code or maintains a facility in the City.(O-2)	In a calendar week performs at least two (2) hours of work for an Employer (O-2)
20				
	Santa Fe, NM	Nonprofit organizations whose primary source of funds is from Medicaid waivers are exempt (O-1)	All profit and nonprofit businesses required to have a business licence or business registration (O-1)	
21				

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
20	San Jose, CA	No Reference	Yes - An employee or other person may report to the agency in writing any suspected violation of this chapter (O-7)	the payment of any back wages unlawfully withheld, the payment of an additional sum as a civil penalty in the amount of \$50 to each Employee or person whose rights under this Chapter were violated for each day that the violation occurred or continued, reinstatement in employment and/or injunctive relief. (O-4) Relief: reinstatement, interest on all due unpaid wages, reimbursement of the city's administrative costs of enforcement and attorneys fees (O-4)	the Office of Equality Assurance or such other City department or office as the Council shall by resolution designate. (O-2)	No Reference
21	Santa Fe, NM	Yes (O-1)	No Reference	Criminal Penalties (misdemeanor subject to fines and imprisonment) Civil action to remedy any violation without limitation to reinstatement, the payment of any wages due and an additional amount as liquated damages equal to twice the amount of any wages due, injunctive relief, and resonable attorney's fees and costs (O-1)	Administrative Enforcement - the city manager, or his/her designee, is authorized, as apporpriate and as resources permit to enforce this ordinance (O-1)	Constituent Services: 505-955-6949, constituentservices@santafenm.org (O-1)

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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May 2015

Ordinance Analysis

	A	B	C	D	E	F
1	Jurisdiction	Type of Ordinance	Level of Government	Locally Located	Adoption Method	Adoption Date
22	Seattle, WA	Minimum Wage Ordinance	City	http://murray.seattle.gov/wp-content/uploads/2014/05/Minimum-Wage-2014.pdf	Legislative Adoption	2014 (O-17)
23	Washington DC	Minimum Wage Act Amendment	City	http://does.dc.gov/sites/default/files/dc/sites/does/page_content/attachments/Minimum%20Wage%20Amendment%20Act%20of%202013.pdf	Legislative Amendment	2013 (O-1)
24	Ypsilanti, MI	Minimum Wage Ordinance	City	http://cityofypsilanti.com/Portals/0/docs/City%20Clerk/Adopted%20Ordinances/Ord.%20No.%201217%20Minimum%20Wage%20Ordinance%20as%20Adopted%20051214.pdf	Legislative Adoption	1/1/2014 (O-4)

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Ordinance Analysis

	A	G	H	I
1	Jurisdiction	Mandated Benefits (sick days, vacation time, or other benefits)	Previous Minimum Wage	Wage if the Employee Receives Healthcare Benefits
22	Seattle, WA	No Reference	\$11.00 -- 1/1/2015 \$13.00 -- 1/1/2016 \$15.00 -- 1/1/2017 (O-8)	(Schedule 1 Employers: more than 500 Employees) \$12.50 -- 1/1/2016 \$13.50 -- 1/1/2017 \$15.00 -- 1/1/2018 (O-9)
23	Washington DC	No Reference	\$9.50 -- 7/1/2014 \$10.50 -- 7/1/2015 (O-1)	No Reference
24	Ypsilanti, MI	No Reference	No Reference	No Reference

MINIMUM AND LIVING WAGE ORDINANCE ANALYSIS

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Ordinance Analysis

	A	J	K	L	M
1	Jurisdiction	Wage if Employee Receives Healthcare Benefits and Tips	Wage if Employee Receives Tips	Minimum Wage Under the Law	End date of the Implementation
22	Seattle, WA	(Schedule 2 Employers: 500 or fewer Employees) \$10.50 -- 1/1/2016 \$11.00 -- 1/1/2017 \$11.50 -- 1/1/2018 \$12.00 -- 1/1/2019 \$13.50 -- 1/1/2020 \$15.00 -- 1/1/2021 (O-9)	Tips and employer payments toward a medical benefits plan do not constitute wages for purposes of this Chapter (O-6)	\$15.00 (O-8)	1/1/2017 (O-8)
23	Washington DC	No Reference	require employers who employ tipped employees to certify on a quarterly basis that their employees earn a minimum wage. (O-1)	\$11.50 (O-1)	7/1/2016 (O-1)
24	Ypsilanti, MI	No Reference	No Reference	\$10.10 (O-2)	1/1/2015 (O-4)

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Ordinance Analysis

	A	N	O	P
1	Jurisdiction	Phased Implementation	Cost of Living Allowance (COLA) Increase	Exempted Employers
22	Seattle, WA	Yes (O-8)	Effective January 1, 2018, the hourly minimum wage paid by a Schedule 1 employer to any employee shall be increased annually on a percentage basis to reflect the rate of inflation and calculated to the nearest cent on January 1 of each year thereafter. (O-8)	No industry sector exemptions from the \$15.00 per hour minimum wage; (O-19)
23	Washington DC	Yes	Yes -- 7/1/2017 average increase in the Consumer Price Index and All Urban Consumers in the Washington Metropolitan Statistical Area for the previous calendar year (O-1)	No Reference
24	Ypsilanti, MI	No	to be adjusted by the city manager every two years by the same percent change of the living wage pursuant to Section 2-348(a) of this Code of Ordinances. (O-2)	City Council may, after public hearing, grant a partial or complete exemption from the requirements of this Division if it finds: 1. The application of this Division would violate any law; or 2. The application of this Division would cause unreasonable economic harm to a non-profit organization exempt from federal taxation. 3. This Division shall not be construed to conflict with, interfere with, or supersede any collective bargaining agreement. (O-2)

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Ordinance Analysis

	A	Q	R	S
1	Jurisdiction	Exempted Employees	Definition of Employer	Definition of Employee
22	Seattle, WA	The Director shall have the authority to issue a special certificate authorizing an employer to pay a wage less than the City of Seattle minimum wage, as defined in this Chapter, but above the Washington State minimum wage, as defined in RCW 49.46.020. Such special certificates shall only be available for the categories of workers defined in RCW 49.46.060 and shall be subject to such limitations as to time, number, proportion, and length of service as the Director shall prescribe. Prior to issuance, an applicant for a special certificate must secure a letter of recommendation from the Washington State Department of Labor and Industries stating that the applicant has a demonstrated necessity pursuant to WAC 296-128. (O-6)	means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee (O-4)	as defined under Section 12A.28.200 (O-4)
23	Washington DC	a person who is exempt from the minimum wage requirements of the Maryland Wage and Hour Law or the Fair Labor Standards Act; or is an individual under the age of 19 years and is employed no more than twenty (20) hours in a week. (O-2)	a person who 19 acts directly or indirectly in the interest of another employer with an employee and includes a governmental unit. (O-1)	No Reference
24	Ypsilanti, MI	No Reference	an individual, any type of entity (including the City), and a person acting in the interest of the such who employs two or more employees at any one time within a calendar year. An employer shall be subject to this Division during the remainder of that calendar year. (O-1)	means an individual, including minors pursuant to the Youth Employment Standards Act (MCL 409.101 et seq.), employed by an employer on the premises of the employer or at a fixed site designated by the employer. (O-1)

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Ordinance Analysis

	A	T	U	V	W	X
1	Jurisdiction	Regulations on Retaliation	Private Right of Action	Penalties for Non-Compliance	Enforcement Agency	Contact Information for the Enforcement Agency
22	Seattle, WA	Yes (O-3)	Yes -- An Employee or any other person may report to the Office in writing any suspected violation of this Chapter (O-4)	full payment of unpaid wages and accrued interest due to the charging party under the terms of this Chapter. Such remedy shall be reduced to writing in an order of the Director (O-15)	Director of the Department of Finance and Administrative Services (O-4)	the Office of Equality Assurance or such other City department or office as the Council shall by resolution designate. (O-2)
23	Washington DC	No Reference	No Reference	No Reference	No Reference	No Reference
24	Ypsilanti, MI	No Reference	No Reference	No Reference	City personnel department (O-2)	No Reference