

## BALLOT TITLE AND SUMMARY

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

### BALLOT TITLE:

A Proposed Amendment to the Oakland Municipal Code Establishing a Minimum Wage, Requiring Payment for Accrued Sick Leave, and Requiring Payment of Service Charges to Hospitality Workers

### BALLOT SUMMARY:

This measure would establish a minimum wage in the City of Oakland of \$12.25 per hour, beginning on March 2, 2015. The minimum wage rate would increase yearly on January 1st based on increases in the cost of living.

This measure would require that employers in Oakland provide paid sick leave to their employees beginning on March 2, 2015. Employees would accrue one hour of paid sick leave for every 30 hours they work. Employers may cap paid sick leave earned by an employee at 40 hours for employees of small businesses and 72 hours for employees of other employers. Small businesses are defined as employers who normally have fewer than ten workers. An employer may set a higher cap for paid sick leave or no cap at all. Employees may use paid sick leave for the employee's own illness or injury, or to care for certain family members who are ill or injured. Employees with no spouse or domestic partner may designate one person for whom the employee may use paid sick leave to provide care.

This measure would require that hospitality employers who collect service charges from customers pay all service charges to their hospitality workers. Hospitality employers are defined as employers who own, control, or operate any part of a hotel, restaurant or banquet facility within Oakland.

This measure would provide for enforcement by the City or by an employee's lawsuit. This measure would prohibit discharging, reducing compensation or otherwise discriminating against any person who makes a complaint to the City, participates in any City proceedings, or files a lawsuit for violation of this measure. This measure would permit the City to consider an employer's record of noncompliance with this measure in determining whether to enter into City contracts with the employer or grant land use approvals or other permits to the employer.

This measure prohibits employers from funding increases in compensation required by the measure by reducing any non-management employee's compensation or non-wage benefits. The measure also requires that employers retain records regarding pay rates, paid sick leave, and service charge collection and distribution, and that employers prominently post and provide notice to employees of their rights under the measure.

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OAKLAND

  
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