



# County of Santa Cruz

## BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ  
FIRST DISTRICT

ELLEN PIRIE  
SECOND DISTRICT

MARDI WORMHOUDT  
THIRD DISTRICT

TONY CAMPOS  
FOURTH DISTRICT

JEFF ALMQUIST  
FIFTH DISTRICT

AGENDA: 2/27/01

February 20, 2001

BOARD OF SUPERVISORS  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

RE: LIVING WAGE ORDINANCE INFORMATION

Dear Members of the Board:

Attached to this letter is a request from the Living Wage Coalition that the County of Santa Cruz adopt a Living Wage ordinance, similar to the one adopted by the City of Santa Cruz. The City's Living Wage Ordinance is also attached.

As Board members are undoubtedly aware, living wage ordinances requiring the payment of wages and benefits that exceed the federal minimum have been adopted by many local jurisdictions over the last several years. As of January of this year, over 55 cities and counties in 22 states have adopted ordinances establishing wage and benefit rates tailored to the local cost of living. The ordinances have established minimum wages and benefits for public employees, the employees of nonprofit agencies and contractors who do business with these jurisdictions. The resulting costs to those doing business with these agencies seem to have been largely absorbed by profit making contractors. However, in some instances additional funding has been required from the agency in order to provide assistance to nonprofit agencies required to implement the ordinance.

In October of 2000, at the urging of the Living Wage Coalition, the Santa Cruz City Council adopted the attached ordinance establishing a minimum wage of \$11.00 an hour for those employees who receive benefits, and \$12.00 an hour for those who do not, for all City employees and all employees of nonprofit agencies and for contractors doing business with the City. The ordinance does not apply to employees who are represented by collective bargaining units, nor does it apply to student workers and

BOARD OF SUPERVISORS  
 February 20, 2001  
 Page 2

trainees. In addition, in order to meet the requirements of the ordinance, the City has agreed to set aside a sum of money to assist nonprofit agencies which receive City grants.

At a time when the cost of housing is skyrocketing in Santa Cruz County and it is becoming increasingly difficult for middle income people to continue to live here, it seems especially important that the Board of Supervisors consider steps that we could take that would provide some relief to working members of our community. Therefore, we think that it is particularly timely for the Board to seriously consider the proposal from the Living Wage Coalition.

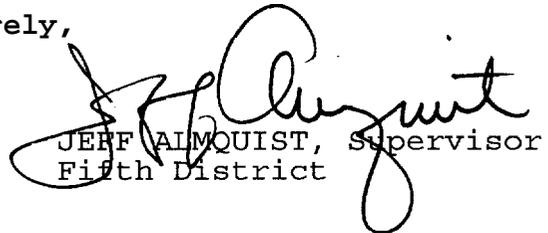
Because it is important for the Board to have a thorough understanding of the economic impacts of adopting an ordinance similar to the ordinance adopted by the City of Santa Cruz, we believe that it would be prudent to have staff investigate the economic implications of the proposal for the County, County contractors, and for the nonprofit agencies which receive grants from, or do business with, the County.

Therefore, we recommend that the Board of Supervisors take the following actions:

1. Direct the County Administrative Officer-to provide materials for our June, 2001, budget on the cost of providing a living wage consistent with that established by the City of Santa Cruz for all County employees, excluding student workers and trainees, which would include the cost of providing a consistent wage for nonprofit agencies which receive grants from, or who contract with, the County and any anticipated effects on the County of requiring County contractors to abide by the provisions of the ordinance.
2. Direct the CAO to meet with members of the Living Wage Coalition during the process of developing this information in order to have a full understanding of the additional components of the ordinance adopted by the City, as well as other issues that may be generated by adopting this ordinance.

Sincerely,

  
 MARDI WORMHOUDT, Supervisor  
 Third District

  
 JEFF ALMQUIST, Supervisor  
 Fifth District

MW/JA:ted  
 Attachments

cc: County Administrative Officer  
 Living Wage Coalition  
 Personnel Director

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Santa Cruz County Coalition for a Living Wage  
501 Soquel Avenue, Suite E, Santa Cruz, CA 95062  
(831) 457-1741 • (831) 724-0211 • (831) 457-0617 (Fax)

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Individual Endorsers

Juli Albores, Adelante  
Mary Bailey, Unitarian Universalist,  
Social Action Committee  
Barbara Bair  
Mat Bakker, Watsonville Comité de  
Derechos Humanos (Human Rights  
Committee)  
Bernice Belton  
Elsie Beltram  
Rev. Len D. Beyea  
Kathy Bisbee  
Lycia Blanchard, LMFT  
Jonathan Boutelle, Carpenters Local SO5  
Paul Brindel, The Shelter Project/CAB  
Scott Bugental  
Stuart Carlson, CDF Firefighters IAFF  
Local 2881  
Pedro Castillo  
Sharlene Cece  
Myrna Cherin, SEIU Local 415, Retiree  
Christopher  
Barbara Cox  
John Curcio, IATSE  
Mark & Reva Damir  
Re Darrell Darling  
Alice Davis, WILPF  
Anjela Davis, Professor, CCSC  
Roberto de la Rosa  
Olga Diaz, Watsonville Comité de  
Derechos Humanos (Human Rights  
Committee)  
Rey Sharon Delgado  
Rey David Dodson  
Bob Downing  
Geoffrey Dunn  
Bob Fitch, Resource Center for Non-  
Violence  
Daria Frank, UCSC, Professor, UCSC  
Marge Frantz, Professor Emeritus,  
UCSC  
Fred Geiger, member, IBEW, Local 234  
Katie Gilligan  
Rey Christopher Gilmore, First  
Congregational Church  
Debra Hahn, WILPF  
Jar Harwood, WILPF  
Tom Helman,  
Virginia Hirsch, SEIU, Local 415 Retiree  
Chapter  
Nera Hochman, labor & community  
activist  
Ruth Hunter, community activist  
Rey Rebecca Irelan, Grace United  
Methodist Church  
Jennette Johnson, Health Care for All  
Santa Cruz  
Paul Johnson  
Christine Johnson-Lyons, Community  
Action Board of Santa Cruz County  
Fred Jones, Calvary Episcopal  
Church  
Elizabeth Kaylor, President, Santa Cruz  
County Central Labor Council  
Drug Keegan, Santa Cruz County  
Immigration Project/CAB  
Jimmy Kelly, Santa Cruz County  
Central Labor Council  
John M. Kern, SEIU 1000 (CSEA)  
Louis and Nancy Lafortune  
John Laird, Cabrillo College Trustee  
Marilyn Lucier, WILPF, NAACP  
Gabriel Litsky, WILPF  
Sheila Malone, WILPF  
Elizabeth Maloney, attorney  
Fr. Mike Marini, Holy Cross Roman  
Catholic Church  
Susan Martinez  
Doug McLean, WILPF

February 20, 2001

Tony Campos, Chair and Members of the  
Santa Cruz County Board of Supervisors  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060

Dear Supervisors:

The Santa Cruz County Coalition for a Living Wage is a coalition of local organizations and individuals working to address increasing economic instability for working people in Santa Cruz County. We are currently working to encourage local jurisdictions to enact living wage ordinances, which require employers receiving public funds to pay their workers a living wage on behalf of the taxpayers of our community. Over 55 cities and counties across the country have passed such ordinances and campaigns are underway in an additional 75 cities, counties and universities.

We are writing to ask the County Board of Supervisors to consider adopting a living wage ordinance. The challenges created by Santa Cruz County's skyrocketing cost of living hit those at the bottom of the economic spectrum the hardest. Even with the recent increase in California's minimum wage, a worker earning the minimum wage would need to work over 100 hours per week to afford a one bedroom apartment in Santa Cruz County. A living wage ordinance is a specific public policy action which your Board can take to address this issue.

A living wage ordinance represents an important step in addressing substantial wage disparity throughout the County by increasing wages for workers who provide important services on behalf of and for the County and its residents. For some workers, a living wage ordinance will lead to a direct increase in income and, therefore an increase in their economic stability. Additionally, such an ordinance will have a positive impact on local businesses as workers have greater income to invest in the local economy. Finally, a County living wage ordinance will help to set a community standard for wages and employment practices.

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Santa Cruz County Coalition for a Living Wage

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501 Soquel Avenue, Suite E, Santa Cruz, CA 95062

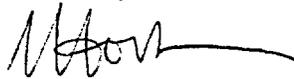
(831) 457-1741 . (831) 724-0211 . (831) 457-0617 (Fag)

Jann McCord  
 Carolyn McIntyre, CSEA, DLC 741  
 Mary McKane  
 Henry Millstein  
 Charlo Moreno, Teamsters, Local 912  
 David Moreau, United Transportation  
 Union, Local 23  
 Norman Morris, CWA Local 9423  
 Brian Murtha, People's Democratic  
 Club  
 Amy Newell, Santa Cruz County Central  
 Labor Council  
 Canfield & Ed Newman  
 Tom O'Brien, Operating Engineers,  
 Local 13  
 Sarah O'Rourke, WILPF  
 Karen Osmundson  
 Rich Otomo, UFCW Local 428  
 Gary Patton  
 Jean Piraino, WILPF, Pajaro Valley  
 Branch  
 Robert Poen, Neighbors of Lower Ocean  
 Sue Powell, Mariposa Landscaping  
 Rosalind Reddich, WILPF, Pajaro  
 Valley Branch  
 Sue Reynolds, CUE  
 Sarah Ringler, member, Pajaro Valley  
 Federation of Teachers, Local 1936  
 (AFT)  
 Carolyn Savino, President, Pajaro Valley  
 Federation of Teachers, Local 1936  
 (AFT)  
 Jasmine Schlafke  
 Audrey Schlegel  
 Fr. Stewart Schlegel  
 Tom Shaver, Santa Cruz Action  
 Network  
 Geoff Shuey  
 Cecilia & Peter Scott  
 Ake Smith, Alliance For Democracy  
 Skye Spitzer, Santa Cruz Action  
 Network  
 David Sweet, professor, UCSC  
 Bob Taren, attorney  
 Mary Thuerwachter, attorney  
 Rafael Valdez  
 Neil Van Valkenburgh  
 Deborah Watters, OPEIU  
 David Werlin, SEIU, Local 415  
 Nadine Winslow, Community Action  
 Board of Santa Cruz County  
 Christine Wood  
 Rev. Alfred Williams, First  
 Congregational Church  
 Jane Yett  
 Susan Zeman

As you know, a City of Santa Cruz Living Wage Ordinance was recently enacted, which requires employers receiving city funds to pay their workers a minimum of \$11 per hour when employer sponsored health benefits are provided and \$12 per hour when health benefits are not provided. The ordinance covers service contracts, social service program grants, economic development assistance and permanent city workers. Additionally, the City Council recognized the right of City Temporary Workers to be represented by a union and bargain collectively for better wages and working conditions.

The Coalition for a Living Wage urges your Board to take a leadership role in ensuring that public funds are used to support living wage employment in our community. We appreciate your consideration of our request and look forward to working with you, your staff and the community to enact a meaningful living wage ordinance in the County of Santa Cruz. Should you have questions, please contact the Santa Cruz County Coalition for a Living Wage Coordinator, Sandy Brown, at 457-1741 ext. 130.

Sincerely,



Nora Hochman  
Co-Chair



Bob Fitch  
Co-Chair

\* Partial List Organizations are for identification purposes only

## ORDINANCE NO. 2000-25

AN ORDINANCE OF THE CITY OF SANTA CRUZ  
 ADDING CHAPTER 5.10 TO THE SANTA CRUZ MUNICIPAL CODE  
 PERTAINING TO THE PAYMENT OF A LIVING WAGE

BE IT ORDAINED By The City Of Santa Cruz As Follows:

Section 1. Chapter 5.10 is hereby added to the Santa Cruz Municipal Code to read as follows:

“Chapter 5.10

Sections:

- 5.10.010. Findings and Purpose.
- 5.10.020 Definitions.
- 5.10.030 Living Wage Requirement.
- 5.10.040 Prescription of Minimum Living Wage.
- 5.10.050 Assignees/Successors in Interest.
- 5.10.060 Application of Chapter.
- 5.10.070 Prevailing Wage Jobs.
- 5.10.080 Represented Employees.
- 5.10.090 Employee Retention.
- 5.10.100 Labor Peace -- Retaliation, Discrimination and Intimidation Prohibited.
- 5.10.110 Labor Relation Neutrality.
- 5.10.120 Notification.
- 5.10.130 Exemptions.
- 5.10.140 Enforcement and Remedies -- Employee
- 5.10.150 Enforcement and Remedies -- City

Section 5.10.010 Findings and Purpose. In enacting this Chapter the City Council makes the following findings and articulates the following purposes for the promulgation of the living wage regulations set forth herein:

1. The health and welfare of all Santa Cruz citizens is benefited and advanced when Santa Cruz workers are paid a wage which enables them to live above the poverty line;
2. The City awards many contracts to private sector employers to provide goods and services to the City in accordance with those contracts;
3. Many workers in Santa Cruz and their families live at or below the poverty line. The payment of inadequate wages to those workers tends to negatively affect the quality of services provided to the City and its residents by fostering high turnover and instability in the workplace;

4. The use of City funds to promote the creation of a living wage will increase the ability of low wage workers to attain sustenance, decrease the amount of poverty and reduce the amount of taxpayer funded social services provided in the City of Santa Cruz;
5. Some employers which provide contract services to the City do not provide health insurance benefits to their employees. This factor negatively affects worker performance and the quality of services delivered to the City and its residents, results in unwarranted employee absenteeism and negatively impacts local and State health programs. These problems can be ameliorated if employers provide reasonable health insurance benefits to their employees;
6. City regulations requiring the payment of a living wage are consistent with other City regulations such as the City's prevailing wage regulations designed to address the economic needs of low wage workers in the City;
7. The expenditure of public funds for the procurement and provision of services is conducted most responsibly when the expenditure promotes a community economic standard intended to assure that City workers, including single parents, and their families can subsist above the poverty line; and
8. The use of City funds to encourage living wage jobs will decrease poverty, increase consumer income and invigorate neighborhood businesses.
9. The living wage requirement shall apply to social service agencies receiving \$5,000. or more in annual support from the City of Santa Cruz. However, this requirement shall not take effect until the City Council amends this ordinance and/or passes a policy resolution clarifying how the ordinance will be applied to such agencies.

Section 5.10.020 Definitions. The following words and phrases, whenever used in this Chapter, shall be given the following definitions:

1. Contract for Services. "Contract for services" shall refer to any contract between the City and a contractor with a value of \$10,000 (Ten Thousand Dollars) or more pursuant to which the contractor agrees to deliver services directly to the City. "Contracts for services" include, but are not limited to, contracts awarded by the City to private sector employers for the following services:

- Automotive repair and maintenance
- Facility and building maintenance
- Janitorial and custodial services
- Health services
- Human care services
- Landscaping services
- Laundry services

- Office and clerical services
- Parking lot management
- Pest control
- Recreation services
- Resident and day shelter services
- Security services
- Shuttle transportation
- Street and sidewalk cleaning
- Towing
- Any other service determined by the City as meeting the intent of this ordinance.

“Contract for services” shall not refer to any contract entered into by the City for the provision of goods, supplies or materials to the City.

2. Contractor for Services. “Contractor for services” shall refer to any private sector contractor/employer who enters into a contract for services with the City. However, this term shall not refer to contractors with five or fewer employees who have been in business for less than one year on the date of bid opening.

3. Subcontractor. “Subcontractor” shall refer to any subcontractor who enters into a subcontract with a contractor for services in connection with the contractor’s contractual obligation to provide services directly to the City. However, this term shall not refer to subcontractors with five or fewer employees who have been in business less than one year on the date of bid opening.

4. Employee. “Employee” shall refer to any employee of a contractor for services, or to any employee of a subcontractor, while employed in providing services to the City pursuant to a contract for services or a related subcontract. In the foregoing context, “employees” are persons hired by contractors or subcontractors to work on a full-time, part-time, temporary or regular basis for wages or salary. “Employee” shall not refer to persons who are 17 years old or younger or to persons in positions that are designated for “trainees” or are otherwise part of an employer’s training program. Nor shall “employee” refer to persons who are in positions of employment that require student status as a prerequisite to being employed in that position.

5.10.030 Living Wage Requirement. All employees shall be paid a living wage.

5.10.040 Prescription of Minimum Living Wage.

1. The minimum living wage to be paid to employees pursuant to the requirements of this Chapter shall be prescribed annually by the City Council pursuant to resolution. The City Council shall consider a recommendation regarding adjustments to the wage rate and benefits no later than its first regularly scheduled meeting in February of each year, and shall adopt a resolution to be effective on July 1<sup>st</sup> of each year.
2. The resolution shall prescribe a minimum living wage to be paid where the employer provides minimum vacation leave, sick leave and health insurance benefits for its employees and an alternate higher minimum living wage to be paid where the employer does not provide each of those minimum benefits for its employees.
3. The minimum vacation leave and sick leave that must be provided and the minimum amount paid toward health insurance to qualify for the lower minimum living wage shall be prescribed in the annual resolution.
4. At a minimum, the prescribed minimum living wages shall be upwardly indexed each year by an amount which corresponds to the cost of living increase as measured by the San Francisco-Oakland-San Jose area Consumer Price Index.
5. Where an employer intends to pay the minimum living wage applicable to employers who provide the requisite sick leave, vacation leave and health insurance benefits, proof of the requisite benefit package must be submitted to the City within ten (10) days of the award of the contract for services or related subcontract which creates the living wage requirement,

5.10.050 Assignees/Successors in Interest. The living wage requirement imposed by this Chapter shall be binding upon the assignees and successors in interest of any contract for services or related subcontract to which this Chapter applies.

5.10.060 Application of Chapter. The living wage requirement imposed by this Chapter shall apply to all contracts for services and related subcontracts made or entered into on or after the effective date of the ordinance enacting this Chapter.

5.10.070 Prevailing Wage Jobs. Where pursuant to a contract for services, a contractor or subcontractor incurs a contractual obligation to pay its employees prevailing wages, the contractor or subcontractor shall pay its employees at the contractually prescribed prevailing wage rate provided that the prevailing wage is higher than the minimum living wage payable pursuant to this Chapter. The City's standard contract specification relative to the payment of prevailing wages shall stipulate that in no case shall the prevailing wage paid pursuant to that contract specification be less than the minimum living wage paid pursuant to this Chapter.

5.10.080 Represented Employees. Where employees are represented by a bargaining unit or labor union pursuant to rights conferred by State or Federal law and a collective bargaining labor agreement is in effect governing the terms and conditions of employment for those employees, this Chapter shall not apply to those employees, and the collective bargaining labor agreement shall control.

5.10.090 Employee Retention.

1. In the event that any contract for services for an amount greater than \$50,000 (Fifty Thousand Dollars) is terminated by the City prior to its expiration, any new contract with a subsequent contractor for those same services shall provide for the employment of the predecessor employer's retention employees as provided in this section.
2. A "retention employee" is an employee of a predecessor employer:
  - a. Who is not an exempt employee under the minimum wage and maximum hour exemptions defined in the Federal Fair Labor Standards Act;
  - b. Who is not a family member of the predecessor employer;
  - c. Who has been employed by the predecessor employer for at least six months prior to the date of the new successor contract; and
  - d. Who is or will be terminated from his or her employment as a result of the City entering into the successor contract.
3. Subsequent employers shall offer employment to all retention employees who are qualified for such jobs.
4. A subsequent employer is not required to hire a retention employee who has been convicted of a job-related or workplace crime.
5. A subsequent employer may not terminate a retention employee for the first ninety (90) days of employment under a successor contract, except for cause. Thereafter, a subsequent employer may terminate a retention employee upon the same terms and conditions as the subsequent employer's other employees may be terminated.

5.10.100 Labor Peace – Retaliation, Discrimination and Intimidation Prohibited. Contractors for services or subcontractors shall not discharge, reduce the compensation of, discriminate or otherwise retaliate against or intimidate any employee for making a complaint to the City, or for participating in any legal or administrative proceedings or using any civil remedies to enforce his or her rights conferred by this chapter or for otherwise asserting his or her rights under this Chapter. Contractors for services and subcontractors shall also comply with federal, state and all other applicable law proscribing retaliation for union organizing.

5.10.110 Labor Relation Neutrality. Contractors for services and subcontractors shall not hinder or further collective bargaining organization or other collective bargaining activities by or on behalf of an employer’s employees. However, this restriction shall not apply to any expenditure made in the course of good faith collective bargaining, or to any expenditure made pursuant to obligations incurred under a bona fide collective bargaining agreement.

5.10.120 Notification of Employees. Contractors for services and subcontractors shall notify all employees subject to the provisions of this chapter of the requirement to pay a living wage, the current minimum living wage rates, and the minimum vacation leave and sick leave that must be provided and the minimum amount paid toward health insurance to qualify for the lower minimum living wage rate.

5.10.130 Exemptions. The City Council may grant an exemption to the requirements of this chapter upon making a finding and determination either that compliance with the living wage will cause economic hardship, or that the exemption is necessary for the best interests of the City and is due to unusual circumstances (e.g., following a declared natural disaster or where the City is required to award a contract for services to a sole source contractor for services).

5.10.140 Enforcement and Remedies -- Employee.

1. An employee claiming violation of this Chapter may report such acts to the City.
  - a. The City Manager shall establish a procedure for receiving and investigating such complaints and take appropriate enforcement action;
  - b. Any complaints received shall be treated as confidential matters to the extent permitted by law. Any complaints received and all investigation documents related thereto shall be deemed exempt from disclosure to the extent permissible under California Government Code Sections 6254 and 6255.

2. An employee claiming violation of this Chapter may bring an action in the Municipal Court or Superior Court of the State of California, or other administrative agency, as appropriate, against an employer to enforce his or her rights conferred by this Chapter. In any such action the employee may seek any or all of the following relief and damages:

a. For failure to pay the living wage, back pay for each day during which the violation continued;

b. For any violation of this Chapter, including retaliation for exercising rights provided by this Chapter, an award or any appropriate remedy at law or equity including, but not limited to, reinstatement, compensatory damages and punitive damages;

3. The Court shall award reasonable attorney’s fees and costs to an employee who prevails in any such enforcement action;

4. No employee remedy set forth in this section is intended to be exclusive or a prerequisite to asserting a claim for relief to enforce any rights hereunder in a court of law. Nor shall this section be construed to limit an employee’s right to bring a common law cause of action for wrongful termination;

5. This section shall not excuse an employee from complying with any applicable administrative procedure or procedures delineated in the California Tort Claims Act which may be required as a prerequisite to commencing legal action in a court of law.

5.10.150 Enforcement and Remedies -- City.

1. The City department head responsible for administering a contract for services may take any of the following enforcement actions in accordance with instructions issued by the City Manager:

a. Assess liquidated damages as provided for in the contract for services;

b. Pursue any other remedies prescribed by law or by the contract for services for breach of the contract;

c. Recommend to the City Council that the contract for services be terminated;

d. Recommend to the City Council that a contractor for services be barred from an award of future contracts for services in accordance with the provisions of Chapter 3.09 of this Code pertaining to non-responsible contractors;

2. In connection with any enforcement action undertaken by the City which establishes a violation of this Chapter, the City shall be entitled to recover from the violator all of its enforcement costs including any investigation costs, litigation costs and attorney fees.”

Section 2. Severability. If any section, subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portion of the ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subdivision, subsection, paragraph, sentence, clause or phrase of this ordinance.

Section 3. This ordinance shall take effect and be in force thirty (30) days after its final adoption.

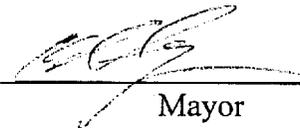
PASSED FOR PUBLICATION this 10<sup>th</sup> day of October, 2000 by the following vote:

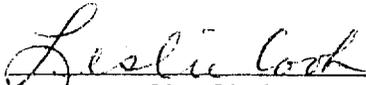
AYES: Councilmember: Fitzrnaurice, Beiers, Rotkin, Hernandez, Krohn;  
Mayor Sugar.

NOES: Councilmember: None.

ABSENT: Councilmember: None.

DISQUALIFIED: Councilmember: Mathews.

APPROVED:   
Mayor

ATTEST:   
City Clerk

## RESOLUTION NO. NS-25,103

## RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ REVISING THE CITY EMPLOYEE RELATIONS RESOLUTION AND AFFIRMING THE RIGHT OF CITY TEMPORARY WORKERS TO ORGANIZE AND JOIN A RECOGNIZED EMPLOYEE ORGANIZATION

WHEREAS, the City of Santa Cruz recognizes all workers' rights to fair and decent working conditions, hours and wages; and

WHEREAS, the City of Santa Cruz recognizes the unique working conditions of temporary workers working for and in the City; and

WHEREAS, the exemplary and valuable quality of service provided by City temporary workers makes Santa Cruz a better place to live; and

WHEREAS, the City of Santa Cruz recognizes that all employees of the City are to be free from interference, coercion, and restraint in associating themselves together for their mutual benefit in connection with their public employment; and

WHEREAS, the City is subject to the provisions of Chapter 10, Division 4, Title 1, of the Government Code of the State of California (Sections 3500 et seq.) captioned "Local Government Employee Organizations;" and

WHEREAS, the City's Personnel Rules and Regulations, Employee Relations Resolution implements Government Code Sections 3500 et seq.; and

WHEREAS, changes to the City's Employee Relations Resolution are necessary to clarify the procedures for the representation of temporary workers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that;

1. The revised "Employee Relations Resolution" as presented to the City Council on October 10, 2000 is hereby approved.
2. City representatives will maintain a neutral position with organizing efforts on behalf of City temporary employees that **comply with** the requirements of the City's Personnel Rules and Regulations, Employee Relations Resolution,

- 3. For the purposes of expediting the potential recognition of temporary City employees, as currently requested by S.E.I.U., Local 415, the City Council authorizes the City's Employee Relations Officer to enter into an agreement for a petition process, in lieu of a recognition election, as required by the City's "Employee Relations Resolution." Said agreement will include the scope of the bargaining unit and time frames for determining "active employees" for purposes of the petition process. The petition process will be developed to protect the rights of all affected workers to be represented. The City agrees that upon the presentation of a petition signed by a majority of affected unrepresented workers, it will recognize and certify the bona fide labor organization appearing on the petition as the exclusive authorized bargaining agent for those workers.

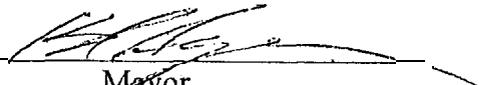
PASSED AND ADOPTED this 10th day of October, 2000, by the following vote:

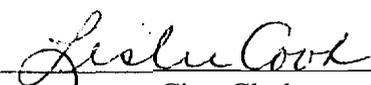
AYES: Councilmembers: Fitzmaurice, Beiers, Rotkin, Mernandez, Krohn; Mayor Sugar.

N O E S : Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: Mathews.

APPROVED:   
Mayor

ATTEST:   
City Clerk

ps275res

## RESOLUTION NO. NS-25,123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SANTA CRUZ ESTABLISHING A LIVING WAGE SCALE  
EFFECTIVE THROUGH JUNE 30, 2001

WHEREAS, the City Council finally adopted Ordinance No. 2000-25 on October 24, 2000; and

WHEREAS, the living wage ordinance, at Section 5.10.030 requires the payment of a living wage to all “employees” as that term is defined in the ordinance; and

WHEREAS, Section 5.10.040 requires the City Council on an annual basis to consider a recommendation, no later than its second meeting in February of each year, and to prescribe by resolution, no later than July 1” of each year, the minimum living wage to be paid to employees pursuant to the requirements of the ordinance; and

WHEREAS, Section 5.10.040 requires the City Council to provide alternate minimum living wage scales depending upon whether employees will or will not receive sick leave benefits, vacation leave benefits and health insurance benefits in minimum amounts to be specified in the resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

1. The minimum living wage to be paid to employees when said employees receive the minimum sick leave, vacation leave and health insurance benefits prescribed in Paragraph 3 of this resolution shall be \$11 .00 (Eleven Dollars) per hour.
2. The minimum living wage to be provided to employees where the employees do not receive the minimum sick leave, vacation leave and health insurance benefits prescribed in Paragraph 3 of this resolution shall be \$12.00 (Twelve Dollars) per hour.
3. The minimum sick leave, vacation leave and health insurance benefits which must be provided to employees and City employees in order to qualify for the \$11 .00 (Eleven Dollars) per hour minimum living wage prescribed in Paragraph 1 of this resolution shall be as follows:
  - A. Compensated sick leave/vacation leave-a combined twelve (12) days annually for full-time employees and prorated for employees working less than full time.
  - B. Uncompensated sick leave/vacation leave-a combined ten (10) days annually for full-time employees and prorated for employees working less than full time.

RESOLUTION NO. NS-25,123

C. Health insurance benefits-the payment of a least \$1 .00 (One Dollar) per hour towards the payment for a health insurance policy for the employee.

PASSED AND ADOPTED this 24<sup>th</sup> day of October, 2000, by the following vote:

AYES: Councilmembers: Fitzmaurice, Beiers, Rotkin, Hemandez, Krohn;  
Mayor Sugar.

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: Mathews.

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

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## RESOLUTION NO. NS-25,125

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ APPROVING  
THE FORMATION, COMPOSITION, AND RESPONSIBILITY OF  
THE LIVING WAGE ADVISORY COMMITTEE

WHEREAS, the City of Santa Cruz has adopted Ordinance No. 2000-25, which sets forth a policy pertaining to the payment of a living wage;

WHEREAS, it is desirable for the City Council to have public input regarding the living wage policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

1. That the formation of a Living Wage Advisory Committee is hereby approved and directed, with representation as described in Exhibit A.
2. That each member of the Committee shall be appointed by a majority vote of the full City Council.
3. That the Committee shall make recommendations to the City Council's Social Services Program Committee regarding:
  - a. criteria for applying the living wage policy to social service program funding recipients; and,
  - b. the allocation of funds made available by the City Council specifically to assist non-profit providers in raising compensation levels to pay the living wage required under the City's ordinance.
4. That the Committee shall review reports prepared by staff regarding the effectiveness of the living wage ordinance and its implementation, and in connection therewith monitor compliance with the ordinance, and shall make recommendations to the City Council regarding policy issues pertaining to the living wage.
5. That the Santa Cruz City Manager shall designate staff to facilitate the meetings, prepare agendas, minutes, reports, and other necessary support to carry out the mission of the Committee.

PASSED AND ADOPTED this 24th day of October, 2000, by the following vote:

AYES: Councilmembers: Fitzmaurice, Beiers, Rotkin, Hernandez, Krohn;  
Mayor Sugar.

NOES: Councilmembers: None.

ABSENT: Councilmembers: None.

DISQUALIFIED: Councilmembers: Mathews.

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

EXHIBIT A  
LIVING WAGE ADVISORY COMMITTEE MEMBERSHIP

The Living Wage Advisory Committee shall be comprised of the following membership:

One (1) low wage or minimum living wage worker;

One (1) representative of a non-profit social service provider receiving financial assistance from the City of Santa Cruz;

One (1) representative of a bargaining unit which represents City employees;

One (1) representative of a citizens living wage advocacy group such as the Santa Cruz County Coalition for a Living Wage;

Three (3) at-large members.

Four members of the Committee shall constitute a quorum for conducting business.

Members of the committee shall either reside in the City, be employed in the City, or be employed by an agency which provides services in the City or to City residents or City employees.