

Attachment 1 – Living Wage Ordinance Board Consensus Amendment Table

The table below lists the proposed Living Wage Ordinance amendments that reflect the Board’s policy direction received on October 18, 2022. In addition, the proposed amendments reflect administrative and other substantive and non-substantive changes to reflect operational and program administration experiences and best practices, conformance with other proposed changes, and routine “clean up” edits for clarity.

Provision		Board direction 10/18/22
1	Include or exclude County employees in LWO	<ul style="list-style-type: none"> ▪ Continue to include County employees in the LWO for the hourly wage rate only ▪ Add a new LWO provision to exclude County employees from any LWO benefits provisions
2	Location of living wage-covered employees	<ul style="list-style-type: none"> ▪ Clarify and add language to the LWO to specify its applicability to only those covered employees who live in the US
3	Exemption for emergency contracts	<ul style="list-style-type: none"> ▪ Add narrowly worded, express emergency contract exemption language to the LWO
4	Living Wage COLA	<ul style="list-style-type: none"> ▪ Adopt an automatic annual adjustment with methodology as follows: annual COLA to increase the hourly rate at the same rate as the CPI-U, with a specified cap on the increase. County has discretion to decide against an increase in any given year. Increase would be as a consent item or part of the annual budget workshop. ▪ Change effective date for any rate change from January 1 to July 1
5	<i>Paid Time Off (PTO)</i>	<ul style="list-style-type: none"> ▪ <i>Today’s discussion</i>
6	Hours for part-time employees	<ul style="list-style-type: none"> ▪ Include “best effort” language, similar to the retention language in Sec. 2-386
7	Employee retention	<ul style="list-style-type: none"> ▪ Keep “best effort” language ▪ Institute a procurement policy to provide a bid factor increase for all proposers who would voluntarily commit to a retention of previous contractor employees; and ▪ Institute a procurement policy to add language in County solicitation materials, to describe and encourage the County’s value preference for worker retention
8	Responsible bidder	<ul style="list-style-type: none"> ▪ Add more specific language to Sec 2-380(d)

Provision		Board direction 10/18/22
9	<i>Lessees and Concessionaires, including fair and airport</i>	<ul style="list-style-type: none"> ▪ <i>Today's discussion</i>
10	Model language	<ul style="list-style-type: none"> ▪ Revise LWO to require that covered employers use the LWO employee notices issued by the County ▪ Include more information of key LWO provisions in the employee notices
11	Enforcement	<p>Near-term</p> <ul style="list-style-type: none"> ▪ Create and publish an enforcement/complaint hotline ▪ Expand breach and remedy provisions, for full cost recovery for any audit that reveals LWO violation or discrepancy and remove the \$2,500 cap ▪ Establish a process for spot check audits <p>Long-term</p> <ul style="list-style-type: none"> ▪ Wait for findings from the overall procurement assessment to identify gaps and potential solutions to process and data issues