



## News from: City of Oakland

### FOR IMMEDIATE RELEASE

March 2, 2015

## Oakland's Minimum Wage Law Takes Effect Today

*Oakland, CA* — Oakland's new employment law, Measure FF, is a voter-enacted ballot measure that passed with an 82% majority in November 2014. Effective March 2, 2015, this new employment law raises the minimum wage from \$9 to \$12.25/hour, requires employers to provide paid sick leave and requires payment of service charges to hospitality workers who provide the service. To assist both employers and employees, the City of Oakland has created a comprehensive web page at [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage) with resources to help implement the new law.

#### Media Contacts:

Karen Boyd  
Citywide Communications  
Director  
510-238-6365  
[kboyd@oaklandnet.com](mailto:kboyd@oaklandnet.com)

Erica Derryck  
Director of Communications  
Office of Mayor Libby Schaaf  
510-238-7072  
[ederryck@oaklandnet.com](mailto:ederryck@oaklandnet.com)

Facebook: [CityofOakland](https://www.facebook.com/CityofOakland)  
Twitter: [@Oakland](https://twitter.com/Oakland)

“Oaklanders’ overwhelming support for raising the minimum wage clearly indicates our community’s desire for workers in Oakland to earn a fair wage,” said Mayor Libby Schaaf. “While there will be initial challenges as we implement this measure, in the long run Oakland families, businesses and our wider community will be stronger because we made this important investment in our workers.”

The new employment law has three key provisions.

#### **Minimum Wage Increase**

Measure FF raises the minimum wage in Oakland to **\$12.25 on March 2, 2015**. Employees who perform at least two hours of work in a particular workweek within Oakland – including part-time, temporary and seasonal employees – must be paid at least the minimum wage. The ordinance also increases the minimum wage corresponding to the prior calendar year’s increase, if any, in the regional Consumer Price Index (CPI).

#### **Paid Sick Leave**

Measure FF requires employers to provide paid sick leave to any employee who performs at least two hours of work in a particular workweek within Oakland. Employees shall accrue one hour of paid sick leave for every 30 hours they work. Employers may cap accrued paid sick leave earned by an employee at 40 hours for small businesses (fewer than 10 workers) and at 72 hours for other employers. Employers may set a higher cap or no cap at all. Employees may use paid sick leave for the employee’s own illness or injury, or to care for family members or other designated persons as defined by the ordinance.

#### **Service Charges**

Measure FF 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.

#### **How Measure FF Benefits Oakland**

Passed by 82% of Oakland voters, Measure FF represents the strong desire of Oakland residents to join jurisdictions across the country in ensuring that workers in Oakland have the ability to support and care for themselves and their families by increasing the minimum wage and making provisions for paid sick leave.

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By creating these enhancements for workers and their families, the measure supports long-term business growth through the creation of a more stable and ultimately more productive Oakland-based workforce. It also allows employers to compete for talent with areas that are already paying higher wages, and will result in a workforce that is invested in Oakland because employees can live where they work.

### **Support Oakland Businesses, Support Oakland Workers**

As local businesses are adjusting to this change, it's important to support our dynamic local business community and in turn support Oakland workers. Shop in Oakland stores, dine at Oakland restaurants, visit Oakland cafes, stay in Oakland hotels and hire Oakland companies.

On [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage), businesses can find a link to materials developed by community partners to get the word out and encourage the community to Support Oakland Workers and Support Oakland Businesses. These posters and postcards help the public understand the importance of supporting local businesses as the new employment law takes effect.

### **What Oakland Employers Need to Do**

To comply with Measure FF, Oakland employers – and employers whose employees work at least two hours in a particular work week in Oakland – should adjust hourly wages for employees earning less than \$12.25 per hour; update sick leave, vacation and paid time off policies to ensure that policies comply with the new law; prepare and distribute notices to employees of the new minimum wage, sick leave and hospitality service charge laws; and provide notices in languages spoken by more than 10% of employees and prominently post in areas where they will be seen by all employees.

### **The City's Role in Measure FF**

To successfully enact this voter-mandated initiative, the City of Oakland is dedicating resources to offer support and guidance to the business community, workers and the public. Beginning in FY 2015-16, the City expects to spend a total of \$1.37 million to implement the minimum wage increase. The costs would include \$135,000 for an employee to administer and help enforce the minimum wage and up to \$30,000 for education and outreach material. The City's own payroll costs (all funds) will increase by \$1.2 million in FY 2015-16 to cover part-time employees who are currently below the new minimum wage and to address wage compaction for those employees just above \$12.25.

This figure does not include indirect costs associated with many existing staff members that have dedicated time to the implementation of the new minimum wage law since voters approved Measure FF in November 2014.

Outreach undertaken to educate both employers and employees include an informational letter in three languages included in business tax renewal mailings,

distribution of 20,000 postcards throughout the community, ongoing social media posts, advertising in select newspapers including non-English outlets, a series of informational slides on the City's television station KTOP TV 10 and more than a dozen informational briefings for the public in February and March.

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### **Frequently Asked Questions and Clarifying Regulations**

To assist employers and employees to better understand the new employment law, the Office of the City Attorney has issued a memorandum that answers frequently asked questions. Like other FAQs issued by the Office of the City Attorney, this is a general guide and resource, and does not constitute legal advice.

To further assist in the implementation of the new employment law, the Oakland City Council passed Resolution 85423 C.M.S. on February 19, which provides clarifying interpretation.

Both documents are found at [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage).

### **Resources for Employers**

Employers must post and give written notification of these rights to each current employee and to each new employee at time of hire. In some cases, notice must be given in languages other than English. To assist with this notification, the City has created posters in English, Spanish and Chinese. These posters can be downloaded from [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage).

Employers are prohibited from discharging, reducing compensation or otherwise discriminating against any person who makes a complaint under the ordinance.

Business owners who need a referral to a service provider for additional assistance with the new employment law or general business technical assistance should contact the City of Oakland's Business Assistance Center at [oaklandbac.com](http://oaklandbac.com), (510) 238-7952 or [oaklandbac@oaklandnet.com](mailto:oaklandbac@oaklandnet.com).

The City will host ongoing Informational Briefings for employers. The following briefing meetings are free and open to the public.

#### **Wednesday, March 11, 8:30-10:30 a.m.**

Business Informational Meeting at Heartlands Merchants Association  
Mills College, Public Safety Room, 5000 MacArthur Boulevard

#### **Thursday, March 12, 3:00-5:00 p.m.**

Business Informational Briefing for Chinese Speaking Employers (co-hosted by Oakland Chinatown Chamber of Commerce)  
Peony Restaurant, 388 9th Street #288

#### **Thursday, March 19, 6:00-8:00 p.m.**

Business Informational Briefing Spanish Speaking Employers (co-hosted by the Hispanic Chamber of Commerce)  
Fruitvale – San Antonio Senior Center, 3301 E. 12th Street #201

Additional briefings are being planned. Please check [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage) for the latest roster of events.

### **Resources for Employees**

If you believe that your employer is not paying you the voter-mandated minimum wage and providing paid sick leave, you can hire an attorney to file an action against your employer or contact the City of Oakland's Contracts & Compliance office at (510) 238-6258 or [minwageinfo@oaklandnet.com](mailto:minwageinfo@oaklandnet.com).

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The Employee Questionnaire & Declaration Form to use to file a complaint with the City is available at [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage).

Employers are prohibited from discharging, reducing compensation or otherwise discriminating against any person who makes a complaint under the ordinance.

**More Resources Available Online**

The City of Oakland has created a web page dedicated to providing up-to-date information, tools and resources for employers and employees needing information about this new employment law. Go to [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage) to find:

- A calendar of upcoming informational briefings for employers (including three sessions this month)
- Frequently Asked Questions (FAQs)
- Legally mandated notification posters for the workplace in English, Spanish and Chinese
- Tools and resources for employers, including partner organizations that offer technical assistance and legal resources
- Measure FF ballot measure language

If after visiting [oaklandnet.com/minimumwage](http://oaklandnet.com/minimumwage), employers or employees have questions or need additional assistance, they should call (510) 238-6258 or email [minwageinfo@oaklandnet.com](mailto:minwageinfo@oaklandnet.com). Kindly provide your name and telephone number as well as business name and address in your message. City staff will respond to questions and provide additional information.

As cities and states across the nation understand the need to pay workers a wage that will allow them to provide for themselves and their families, Oakland voters spoke at the ballot box by resoundingly passing Measure FF in November 2014. In neighboring San Francisco, Proposition J will raise their minimum wage to \$12.25 on May 1, 2015, and continue with stepped increases up to \$15 on July 1, 2018. Similarly, the Emeryville City Council has begun drafting an ordinance to raise their City's minimum wage to potentially as high as \$14.42.

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