

Wage Theft Ordinance/Policies
By
Jurisdictions

Agency	Ordinance/Policy	Enforcement
County and City of San Francisco	Wage Theft Prevention Ordinance Adopted 2006	<ul style="list-style-type: none"> • Office of Labor Standards Enforcement (Minimum Wage/Prevailing Wage/Wage Theft Issues) • City resolves cases or begins hearings within one year. • Removes 10-day grace period for citations. • Penalties increase for retaliation complaints from \$500 to \$1,000. • Requires employers to notify employees when under investigation.
City of San Jose	Wage Theft Prevention Policy Adopted May 2016	<ul style="list-style-type: none"> • Enforced by Office of Quality Assurance • Requires potential and current contractors to disclose current or pending wage theft judgments. • Authorizes the city to terminate city contracts for violation of wage and hour laws. • The city may deny, suspend or revoke a certain permits and/or licenses for violation of wage and hour laws. •
City of Los Angeles	Los Angeles Wage Enforcement Division Ordinance Adopted June 2015	<ul style="list-style-type: none"> • Enforced by its own commission and staff • The Police Commission may deny, revoke or suspend a police permit issued or requested by an employer found to have committed wage theft. • The Division has the authority to inspect workplaces, interview persons and request a subpoena for other relevant items for enforcement. • Civil enforcement will include a penalty of \$100 for each day that the violation occurred or continued. • Administrative fines (ranging from \$500 - \$1,000) shall be increased cumulatively by 50 percent for each subsequent violation of the same provision by the same employer within a three-year period. The maximum per year shall be \$5,000 per employee. Retaliation violation maximum annual penalty shall be \$10,000. • City owed amounts may be collected via civil action, to the extent feasible under state law, create and impose a lien against any property owned or operated by employer or person who fails to pay administrative fines.
City of San Mateo		<ul style="list-style-type: none"> • City Council established it as a priority to look at for fiscal year 17-18. No schedule yet.

Wage Theft Ordinance/Policies
By
Jurisdictions

County of Santa Clara	Wage theft Prevention Policy Adopted November 2014	<ul style="list-style-type: none"> County may suspend permits including: Food Facility Permits; Tobacco Retailer Permits; Building Permits; Grading Permits; Massage Establishment, and Peddler Permits. Potential contractors submitting a formal or informal bid to provide goods and/or services to the County may be disqualified if there is administrative action for violations of wage and hour laws five years prior to or during the term of the contract with the County. County may terminate existing contract if contractor found in violation of wage and hour laws. In October 2017, the County approved a pilot program to provide the Department of Environmental Health the tools to suspend or revoke a County-issued Food Facility Permit. The County will work with the Division of Labor Standards Enforcement's (DLSE) database and U.S. Department of Labor case files on existing wage theft judgments against food facilities/businesses. If administrative efforts by the State departments are unable to remedy the violation, the County may suspend or revoke the Food Facility permit which would require the business to close. <ul style="list-style-type: none"> The County will partner with local community based organizations to assist in education and outreach efforts to prevent wage theft issues. Some of those organizations include Santa Clara County Wage Theft Coalition, Working Partnerships U.S.A, and the Silicon Valley Chamber of Commerce.
Pilot Program to Enforce Wage Theft Violations Using Food Facility Permits	Adopted October 2017	
City of Berkeley	Wage Theft Prevention Ordinance Adopted 2016	<ul style="list-style-type: none"> City Manager to determine enforcement resources For any construction projects exceeding \$100,000 in work, the owner shall prove to the city an attestation by owner or by a responsible or qualifying representative of the owner providing proof that contractor or subcontractor(s) received Labor Code Section 2810.5 and Section 226(a); or, employees of contractor or subcontractor(s) meet one or more of the criteria of Labor Code section 2810.5(c). The proof of the Labor Code section(s) distributed must be provided to the city every 30 days until project completion. A final Pay Transparency Attestation to be provided to the city within 10 days from project completion. It must be

Wage Theft Ordinance/Policies
By
Jurisdictions

		<p>provided by the owner, contractor and/or subcontractor and shall include proof that employees received complete and accurate information pursuant to Labor Code Sections 226 and 2810.5, or that project construction employees meet one or more of the criteria of Labor Code section 2810.5(c).</p> <ul style="list-style-type: none">• Once the city finds that all building codes and the Construction Pay Transparency Compliance is complete, it will issue a Certificate of Occupancy.• The City Manager may promulgate regulations for the administration and enforcement of this Chapter.
--	--	--