



Legislation Details (With Text)

File #: 16-0623 **Version:** 1 **Name:** CA - Draft Minimum Wage Ordinance
Type: Agenda Item **Status:** Approved
File created: 7/1/2016 **In control:** City Council
On agenda: 7/12/2016 **Final action:** 7/12/2016
Title: Recommendation to review draft ordinance amending the Long Beach Municipal Code by adding Part IV to Title 5; and by adding Section 5.06.020.A.7, all relating to a Long Beach Minimum Wage Ordinance, and provide further direction. (Citywide)
Sponsors: City Attorney
Indexes:
Code sections:
Attachments: 1. 071216-ORD-12sr&att.pdf, 2. 071216-ORD-12 Blue Slip.pdf, 3. 071216-ORD-12 Corresp.Suarez.pdf

Date	Ver.	Action By	Action	Result
7/12/2016	1	City Council	approve recommendation	Pass

Recommendation to review draft ordinance amending the Long Beach Municipal Code by adding Part IV to Title 5; and by adding Section 5.06.020.A.7, all relating to a Long Beach Minimum Wage Ordinance, and provide further direction. (Citywide)

Pursuant to your request on January 19, 2016, is Office has prepared and now submits the above draft ordinance for further direction from the City Council.

On January 19, 2016, the City Council requested this Office to prepare a Long Beach Minimum Wage ordinance, and specifically identified certain provisions to be included. Subsequently, the state California adopted SB 3, a statewide minimum wage ordinance, scheduled take effect on January 1, 2017. In addition, the City and the International Association Machinists ("IAM") have not completed the meet-and-confer process on the decision and impacts of this proposed ordinance. It is therefore necessary to request from the City Council further direction to resolve conflicts in certain specific provisions in the draft ordinance.

The particular provisions are as follows:

1. Currently, the ordinance includes the City of Long Beach, making this ordinance applicable to City employees. This provision is the subject of the IAM's meet-and-confer process. Options include removing City of Long Beach employees and allowing the City to be governed by negotiated MOUs with employee unions, as other cities have done; or deferring action on the ordinance until the IAM meet-and-confer process is completed.
2. Sec. 5.200.020.0 Requires a study commissioned analyzing the impacts and effects of the

Long Beach Minimum Wage ordinance prior to instituting wage increases in 2019 if increases are not implemented. This provision will cause the City to be in conflict With the state minimum wage in 2019. Options for resolution include changing the City wage increase to align with the state's, or removing the reference to the anticipated increase until after the study is completed in 2019.

3. Sec. 5.200.020.F.: Definition of Consumer Price Index increases will result in a variance with the requirements of the state minimum wage. Options include removal of the provision or revisions to insure there is no conflict with the state's wage rates, as adjusted.

Sec. 5.200.020.G.: Definition of "Learners" is inconsistent with the state minimum wage law, in that it permits payment of 85% of the applicable minimum wage during the first 480 hours of a Learner's employment. California Labor Code section 1192 permits Learners be paid a similarly reduced wage for 160 hours. Options include removal of this provision, or reducing the required hours be consistent with state law (160 hours or fewer).

We look forward to receiving the City Council's comments and directions regarding these issues the City Council July 12, 2016 meeting

Approve recommendation.

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CHARLES PARKIN
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BY:

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