



Living Wage Ordinance Contractor Notice

Marin County's Living Wage Ordinance (County Code Chapter 2.50) became effective July 1, 2002. Effective January 1, 2009 the ordinance requires minimum compensation of \$10.05 per hour with health benefits of at least \$1.50 per hour. If health benefits are not provided, an hourly wage of \$11.55 is required. Please contact your County contract manager with any questions.

Who is affected:

- Full and part-time employees of service contractors whose contract(s) total more \$25,000 per fiscal year (and their sub-contractors), and only those employees directly involved in providing the contracted service.

Who is excluded:

- Student aides or interns working in a state or education approved program;
- Employees earning academic credit or participating in a formal government approved program; or working towards licensure; and
- Volunteers.

Bidder's Preference:

- 5% bidding preference to Contractors who certify that at least 50% of the workforce under the service contract will be Marin County residents.

Exemptions:

- Other government entities;
- In-patient facilities (where county beds equal less than 75% of beds); and
- Apprentices and trainees (for a period of 90 days) may be paid 75% of wage required by the ordinance; however, the employer must retain the employee for at least one year, unless terminated for good cause.

Exceptions: (as approved by the Board of Supervisors)

- Sole source contactor with significant barriers;
- As necessary to provide emergency services;
- Contractors facing significant barriers and where no other bidder can fill the requirements; and/or
- Any other circumstances that the Board finds in the public's interest.

What else is required of Contractors:

- Provide employees notification of Living Wage provisions and the process for filing complaints related to non-compliance to all affected employees;
- For a period of three years, contractors and subcontractors must maintain payroll records containing the following information, at a minimum, on covered employees, including: name; address; date of hire; job classification; rate of pay; health benefit information; and hours worked on the affected contract.
- Provide reasonable access to records and employees at the County's request to investigate complaints or assess compliance;
- Required to certify compliance with the LWO in written form ; and
- Non-retaliation to employees for complaints filed regarding non-compliance.

Possible penalties for non-compliance:

- Contractors could face debarment from future County agreements, leases, licenses up to three (3) years;
- Pay any amounts underpaid to the employee(s);
- Administrative fee of up to \$2,500; and/or
- Any other remedy that may be available to the County.