

**OFFICE OF LABOR STANDARDS ENFORCEMENT**

PATRICK MULLIGAN, DIRECTOR



## Labor Standards Fact Sheet

Information and requirements for contractors and subcontractors bidding on public works contracts in the City and County of San Francisco:

- Pay workers the correct prevailing wage rates for each craft, classification and type of work performed. *SF Administrative Code 6.22(e)(1); CA State Labor Code Section 1773 and 1774*
- Submit certified payroll reports and fringe benefit statements into the City's electronic payroll reporting system (LCPtracker). *SF Administrative Code 6.22(e)(6); CA State LC Section 1776*
- Maintain Office of Labor Standards Enforcement (OLSE) daily sign in sheets documenting all hours worked and the classifications of work performed. *SF Administrative Code 6.22(e)(7)(C)*
- Display OLSE provided posters at the jobsite, informing workers of Prevailing Wage requirements. *SF Administrative Code 6.22(e)(7)(D)*
- Furnish employees with itemized pay stubs and retain payroll records. *CA State Labor Code Section 226*
- Employ apprentices registered in a state-approved apprenticeship program and make apprenticeship training contributions. *CA State Labor Code Section 1777.5*
- Register with the California Department of Industrial Relations (DIR). *CA State Labor Code Section 1725.5*
- Comply with local labor laws including the *Minimum Compensation Ordinance, Health Care Accountability Ordinance, Health Care Security Ordinance, Fair Chance Ordinance and miscellaneous Prevailing Wage Ordinances* where applicable. *SF Administrative Code Ch. 14, 12P, 12Q, 12T and 21C*

- All work is subject to compliance monitoring and enforcement by the San Francisco Office of Labor Standards Enforcement (OLSE). *SF Administrative Code 6.24 and 6.22(e)(7)(A)*
- OLSE Compliance Officers have the right to engage in random inspections of job sites and to have access to the employees of the contractor, employee time sheets, inspection logs, payroll records and employee paychecks. *SF Administrative Code 6.22(e)(7)(B)*
- Failure to comply with prevailing wage requirements shall result in a forfeiture of back wages due plus penalties of not less than \$50 per day per worker, and may result in disqualification as a contractor or subcontractor on any public work or improvement for the City and County of San Francisco for a period of up to five years. *SF Administrative Code 6.22.(e)(8)(A); CA State Labor Code Section 1775*

# Labor Standards Resources

The current prevailing wage rates are available on the Internet, from OLSE or the Awarding Department. For specific information about prevailing wage requirements you can visit the websites listed below:

OLSE Website	<a href="https://sfgov.org/olse/prevailing-wage">https://sfgov.org/olse/prevailing-wage</a> <ul style="list-style-type: none"> <li>• Prevailing Wage News</li> <li>• Public Works Requirements</li> <li>• Public Works Tools and Resources for Contractors</li> <li>• Links to Statutory Authority Regarding Prevailing Wage               <ul style="list-style-type: none"> <li>➢ SF Administrative Code, Ch. 6.22</li> <li>➢ SF Administrative Code, Ch. 21C</li> <li>➢ CA Labor Code sections pertaining to Public Works</li> </ul> </li> <li>• Link to LCPtracker</li> </ul>
DIR Prevailing Wage Rates (including Scope of Work, Travel, and Holiday Provisions)	<a href="http://www.dir.ca.gov/OPRL/PWD/">http://www.dir.ca.gov/OPRL/PWD/</a>
DIR Public Works Contractor Registration	<a href="https://www.dir.ca.gov/Public-Works/Contractor-Registration.html">https://www.dir.ca.gov/Public-Works/Contractor-Registration.html</a>
DIR Public Works Manual	<a href="http://www.dir.ca.gov/dlse/PWManualCombined.pdf">http://www.dir.ca.gov/dlse/PWManualCombined.pdf</a>
Apprentice Wage Rates	<a href="https://www.dir.ca.gov/opri/pwappwage/PWAppWageStart.asp">https://www.dir.ca.gov/opri/pwappwage/PWAppWageStart.asp</a>
Apprenticeship Programs, Requirements & Forms	<a href="http://www.dir.ca.gov/DAS/PublicWorksForms.htm">http://www.dir.ca.gov/DAS/PublicWorksForms.htm</a>
Contractors State License Status	<a href="https://www.cslb.ca.gov/OnlineServices/CheckLicense/checklicense.aspx">https://www.cslb.ca.gov/OnlineServices/CheckLicense/checklicense.aspx</a>
Information on laws for non - trade employees performing work on City Contracts	<a href="http://www.sfgov.org/olse">www.sfgov.org/olse</a> <ul style="list-style-type: none"> <li>• Minimum Compensation Ordinance (MCO)</li> <li>• Health Care Accountability Ordinance (HCAO)</li> <li>• Health Care Security Ordinance (HCSO)</li> <li>• Paid Sick Leave Ordinance (PSLO)</li> <li>• Paid Parental Leave Ordinance (PPLO)</li> <li>• Fair Chance Ordinance (FCO)</li> </ul>

For more information, call OLSE at (415) 554-6573 or email [prevailingwage@sfgov.org](mailto:prevailingwage@sfgov.org)

GENERAL SERVICES AGENCY  
**OFFICE OF LABOR STANDARDS ENFORCEMENT**  
 PATRICK MULLIGAN, DIRECTOR



## 2020 OLSE/LCPtracker Training Schedule

No fees or registration required

### **Payroll Reporting Training**

*Includes an overview of prevailing wage*

**(2<sup>nd</sup> Tuesday of the Month)**

Tuesday, January 14, 2020	Tuesday, July 14, 2020
Tuesday, February 11, 2020	Tuesday, August 11, 2020
Tuesday, March 10, 2020	Tuesday, September 8, 2020
Tuesday, April 14, 2020	Tuesday, October 13, 2020
Tuesday, May 12, 2020	Tuesday, November 10, 2020
Tuesday, June 9, 2020	<i>No Training in December 2020</i>

#### **Time:**

9:30 am - 10:30 am - City Staff

10:30 am - 12:00 pm - City Contractors & Subcontractors

#### **Location:**

City Hall, Room 421  
 1 Dr. Carlton B. Goodlett Place  
 San Francisco, CA 94102-4685

For certified payroll reporting training questions, please contact Jimmy Hewitt:  
 (415) 554-6211, [james.hewitt@sfgov.org](mailto:james.hewitt@sfgov.org)

Visit <https://sfgov.org/olse/educational-presentations-materials>





# OFFICE OF LABOR STANDARDS ENFORCEMENT

**415-554-OLSE (6573)**

**California law requires that construction workers employed on City funded projects be paid not less than the prevailing wage rate.**

## **TO ENSURE LABOR STANDARDS COMPLIANCE, THE OLSE:**

- Visits jobsites and interviews workers regarding rates of pay and types of work performed
- Investigates complaints to verify that workers receive prevailing wages including fringe benefits, travel and subsistence, holiday, overtime, and other required payments
- Conducts audits by reviewing certified payroll records, fringe benefit statements, inspector's logs, sign-in sheets, and pay check stubs to verify payment of prevailing wage and proper classification of work
- Assesses penalties for non-submission of records or non-payment of prevailing wage

**For additional information, please visit the OLSE website at [www.sfgov.org/OLSE](http://www.sfgov.org/OLSE) and/or email us at [prevailingwage@sfgov.org](mailto:prevailingwage@sfgov.org)**

If you have any questions or would like to file a complaint, please call (415) 554-6573.

Si tiene alguna pregunta, o si desea presentar una queja, por favor llame al (415) 554-6573.

如果你有任何疑問或想提出投訴, 請致電 (415) 554-6573.

Kung mayroon kayong katanungan o nais ninyong magsampa ng reklamo, mangyari pong tumawag sa (415) 554-6573.

Если у Вас есть какие-либо вопросы, или Вы хотите подать жалобу, пожалуйста, позвоните по телефону (415) 554-6573.

Nếu bạn có bất cứ câu hỏi nào hoặc muốn nộp đơn khiếu nại, xin hãy gọi (415) 554-6573.

# San Francisco Labor Laws for City Contractors

Effective July 1, 2019

## Minimum Compensation Ordinance (MCO) – 12P

### *Wages and Paid Time Off (PTO)*

For a company that has 5 employees or greater, anywhere in the world. Includes subcontractors.

Any employee who works on a City contract for services:

- For-profit rate is \$17.66/hour as of 7/1/19
- Non-profit rate is \$16.50/hour as of 7/1/19
- Public Entities rate is \$16.00/hour as of 2/1/19; Effective 7/1/17 - \$16.50/hour
- 0.04615 hours of Paid Time Off (PTO) per hour worked (can be used as vacation or sick leave, and is vested and cashed out at termination)
- 0.0384 hours of Unpaid Time Off per hour worked – allowed without consequence
- Employee must sign a “Know Your Rights” form
- Posting Requirement

## Health Care Accountability Ordinance (HCAO) – 12Q

For a company that has > 20 workers (for profit)/ > 50 workers (nonprofit), anywhere in the world – Includes subcontractors

Any employee who works **at least 20 hours a week** on a City contract for services:

- Either:
  - A) Offer a compliant health plan with no premium charge to the employee. See Minimum Standards
  - OR
  - B) Pay \$5.40\*\* per hour to SF General Hospital (not Healthy San Francisco and not a benefit to employees)
  - OR
  - C) Pay \$5.40\*\* per hour to covered employee. N/A to SFO and San Bruno Jail locations. Employee must live outside of SF and work on a City contract outside of SF. See HCAO for more details.
- Employee must sign a “Know Your Rights” form
- Posting Requirement

Video

<https://youtu.be/Jgy5OpPzQqM>

\*\* Rate changes every July 1

## Health Care Security Ordinance (HCSO)

Any employee who works **an average of 8 hours a week** in the City of San Francisco (whether or not on a City contract) and is **not covered by the HCAO**:

- Spend \$1.89 or \$2.93 (depending on your size) per hour on their health care (e.g. health insurance, or a contribution to Healthy San Francisco)
- Employee can only waive their rights:
  - o By signing an official HCSO voluntary waiver, and
  - o If they show they have insurance through another employer
- Posting Requirement

## Fair Chance Ordinance (FCO) – 12T

### *Hiring Process*

- You may not ask about criminal background in a job application or at the start of the hiring process
- Job announcements must include language specified by the law
- You may inquire into criminal background after an interview or once a conditional offer has been made
- If you intend to consider criminal background in your hiring decision, you must give the applicant the opportunity to provide evidence of rehabilitation or mitigating circumstances
- Posting Requirement

## **Beverly Popek, Compliance Officer**

Office of Labor Standards and Enforcement (OLSE)

City Hall Room, 430

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

(415) 554-6238

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