

Minimum Wage Ordinance

EMERYVILLE MINIMUM WAGE GOES UP JULY 1, 2016

The City of Emeryville's Minimum Wage and Paid Sick Leave Ordinance annual wage increase will take effect on Friday July 1, 2016. As outlined in the Ordinance (EMC 5-37), the new hourly minimum wage rates will be as follows:

NEW EMERYVILLE MINIMUM WAGE EFFECTIVE JULY 1:

Small Businesses (55 or fewer Employees): \$13.00 per hour

Large Businesses (56 or more Employees): \$14.82 per hour

Requirements for Paid Sick Leave and Hospitality Service Charges remain the same.

Updated Minimum Wage and Paid Sick Leave Posters and Official Notices reflecting the new wages are available below under “Resources for Employers.” Service Charge Posters and Notices have no changes.

The Emeryville City Council adopted an ordinance on Tuesday, June 2, 2015 that provides for a higher citywide minimum wage and additional paid sick leave provisions than required by the State of California. The new law went into effect July 2, 2015.

There are three key provisions of the law:

1) Annual Minimum Wage Increase

A Small Business is one with 55 or fewer employees working within the geographic boundaries of the City of Emeryville. A Large Business is one with 56 or more employees working within the geographic boundaries of Emeryville.

The minimum wage rate will be \$13.00 per hour for Small Businesses and \$14.82 per hour for Large Businesses, effective July 1, 2016. These rates will increase annually with Large Business minimum wage rates adjusting annually for inflation every July 1 based on the annual increase in the local consumer price index (CPI). Small Business minimum wage rates will increase in increments until 2019, at which point the Small Business minimum wage rate will match the Large Business minimum wage rate and both will be increased every July 1 by the local CPI. The initial wage and escalation schedule is summarized in the following table:

Effective Date	≤55 Employees	56+ Employees
July 2, 2015	\$12.25	\$14.44
July 1, 2016	\$13.00	\$14.82 (CPI)
July 1, 2017	\$14.00	\$15.20 est. (CPI)
July 1, 2018	\$15.00	\$15.60 est. (CPI)
July 1, 2019		\$16.00 est. (CPI)
July 1, 2020		\$16.42 est. (CPI)

2) Paid Sick Leave

On July 1, 2015, AB 1522 went into effect requiring that all Employers in the State of California provide Paid Sick Leave to both full-time and part-time Employees, accrued at the rate of one hour Paid Sick Leave for every 30 hours worked. The City's ordinance includes additional Paid Sick Leave benefits beyond the State requirements. Emeryville's ordinance requires Paid Sick Leave for full-time, part-time and temporary Employees and includes the following:

- Maximum of 48 Paid Sick Leave hours accruable for Employees of small businesses (55 or fewer Employees within Emeryville city limits) and 72 hours for Employees of Large Businesses (56 or more within Emeryville city limits).
- In each year of employment, an Employee may use up to the total number of Paid Sick Leave hours accrued, subject to the maximum number of accruable Paid Sick Leave hours, as described above.
- AB 1522 allows an Employee to use Paid Sick Leave to provide care for a family member. The Emeryville ordinance broadens the definition of "family member" to include a designated individual (if Employee has no spouse or registered domestic partner) for whom an Employee can use Paid Sick Leave to provide care. In addition, the Employee may use Paid Sick Leave to provide care for a guide dog, signal dog, or service dog of the Employee, Employee's family member, or the person designated by the Employee.

3) Hospitality Service Charges

Emeryville's new ordinance also requires that Hospitality Employers 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. Examples of activities that could fall under a "service charge" are: delivering food or beverage to a hotel room, catering duties at banquets, or carrying luggage to room for hotel guests.

No Retaliation

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

The full ordinance text can be found [here](#) and a link to the Municipal Code is [here](#)

[Map of geographic boundaries of the City of Emeryville](#)

RESOURCES FOR EMPLOYERS

This document contains information to assist Employers with compliance under the Emeryville Minimum Wage and Paid Sick Leave Ordinance.

[Resource List for Business Owners](#)

Mandatory Bulletins (paper size 11” x17”):

- **New! 2016 Minimum Wage and Paid Sick Leave Poster:**
 - [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)
- **2015 Minimum Wage and Paid Sick Leave Poster:**
 - [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)
- **Service Charge Poster:**
 - [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)

Posters must be displayed where they can be read easily by all Employees. Violators are subject to penalties.

Official Notices (paper size 8.5” x11”):

- **New! 2016 Minimum Wage and Paid Sick Leave Notices:**
 - Small Business [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)
 - Large Business [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)
- **2015 Minimum Wage and Paid Sick Leave Notices:**
 - Small Business [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)
 - Large Business [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)
- **Service Charge Notice:** [English](#) | [Chinese](#) | [Farsi](#) | [Spanish](#)

All Official Notices must be provided to all current and future Employees upon hire.

The poster(s) and Official Notices are required to be provided in all languages spoken by 10% or more of the workplace's Employees. If an Employer needs the notices translated into other languages please contact City staff below. You may reproduce the poster and notices as required by your needs, and they need not be reproduced in color.

New! Paid Sick Leave Designation Form: [English](#)

This form meets the Paid Sick Leave requirement of providing Employees an opportunity to designate a person to use their paid sick leave for if they do not have a spouse or registered domestic partner, and must be provided to each current and future employee.

RESOURCES FOR EMPLOYEES

If you believe that your Employer is not paying you the required minimum wage, not providing Paid Sick Leave, or otherwise violating the Emeryville Minimum Wage and Paid Sick Leave Ordinance, please complete a Claim Declaration form.

Claim Declaration Form: [English](#) | [Spanish](#) | [Online Form](#)

You may submit the form to the City in one of four ways:

1. Via mail to: Economic Development and Housing Division
Community Development Department
1333 Park Avenue
Emeryville, CA 94608
2. In person at the City of Emeryville City Hall at the address above during regular business hours which are Monday through Friday from 9 am to 5 pm, excluding City holidays
3. Via email to minwage@emeryville.org
4. Submit online using the Online Form above

Overview Presentation

CONTACT US

If you have any further questions or require assistance please call
(510) 596-4316 or email
minwage@emeryville.org

CALIFORNIA

emeryville

HELPFUL LINKS

[Site Map](#)

[Accessibility](#)

[Copyright / Privacy](#)

[Legal Notice](#)

[Government Websites by](#)

[CivicPlus®](#)