



# Part 1: City-Wide and Contract Labor Laws for For-Profits & Non-Profits

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This presentation provides an overview of labor laws for for-profit and non-profit contractors with the City and County of San Francisco. The goal is to have you create your own list of relevant contract labor laws.



# How to get the most out of this video

- This video is a part of a series! You will need to watch Part 2 & 3 to complete the series.
- Print the presentation slides and have them available as you watch this video.
- Check off the boxes on the charts to create a customized list of laws.
- Take notes!



# Labor Laws for CCSF

## City-Wide



## Contract



# What's your Employee Count?

To determine which laws you must comply with, you must know your **employee count**.

*Employee count includes all persons working for the employer, regardless of whether they are located in San Francisco or outside of the city.*



# Does it matter where my company is headquartered?

No. It does not matter where your company is headquartered.



# Contract Labor Law Background Info

- CCSF has standard contract templates with the required “contract” labor laws.
- You are required to comply with the Contract Law requirements for the employees who perform work on the contract in the USA.
- Why do I need to comply with these contract labor laws?



# Covered Employer and Covered Employees

- Are you a Covered Employer?
- If you are a Covered Employer, do you have any Covered Employees?





# Contract Labor Laws For-Profit



## All Employers

- Consideration of Salary History \*

## Employers with 5+

- Minimum Compensation Ordinance\*\*
- Fair Chance Ordinance \*

## Employers with 20+

- Health Care Accountability Ordinance\*\*

## Work Specific

- Prevailing Wage 21C
- Prevailing Wage 6

\* Also required for all companies operating in CCSF

\*\* Trumps City-Wide Laws (i.e. MWO, HCSO)

# City-Wide Labor Laws For-Profit



## All Employers

- Minimum Wage\*  
Ordinance
- Paid Sick Leave\*  
Ordinance
- Lactation in the  
Workplace
- Consideration of  
Salary History

## Employers with 5+

- Fair Chance  
Ordinance

## Employers with 20+

- Health Care  
Security Ordinance
- Paid Parental Lave
- Family Friendly  
Workplace  
Ordinance

\* You will not have to comply with these ordinance if you are complying with the MCO or PW

# Contract Labor Laws Non-Profit



## All Employers

- Consideration of Salary History \*

## Employers with 5+

- Minimum Compensation Ordinance\*\*
- Fair Chance Ordinance \*

## Employers with 50+

- Health Care Accountability Ordinance\*\*

## Work Specific

- Prevailing Wage 21C
- Prevailing Wage 6

\* Also required for all companies operating in CCSF

\*\* Trumps City-Wide laws

# City-Wide Labor Laws Non-Profit



## All Employers

- Minimum Wage\* Ordinance
- Paid Sick Leave\* Ordinance
- Lactation in the Workplace
- Consideration of Salary History

## Employers with 5+

- Fair Chance Ordinance

## Employers with 20+

- Paid Parental Leave
- Family Friendly Workplace Ordinance

## Employers with 50+

- Health Care Security Ordinance

# Which laws do I comply with?

## Contract and City-Wide Labor Laws



### Contract

- **Do the Contract Law(s) apply to you?**
  - **Yes** – Then Contract Law(s)
  - **No** – Then, if operating in CCSF, follow City-Wide

### City-Wide

- The Contract Law(s) don't apply to you AND you operate in CCSF

# The Two (2) Big Categories for Contract Labor Laws

## Prevailing Wage

- Chapter 6
- Chapter 21C

Minimum  
Compensation  
Ordinance (MCO)  
&  
Health Care  
Accountability  
Ordinance (HCAO)



# Not sure where to start? Check Prevailing Wage First!

Go to OLSE website and see if the type of work you will be performing falls under:

1. Prevailing Wage – Chapter 6 (Construction)
2. Prevailing Wage – Chapter 21C (Non Construction)

If yes...

- Comply with Prevailing Wage for employees performing that/those type(s) of work.
- Who are the Covered Employees? Figure out and make a list.



# If no...

Work falls under Minimum Compensation Ordinance (MCO) and Health Care Accountability Ordinance.

If yes...

- Determine if you are a Covered Employer.
- If yes, determine who are your Covered employees.
  - Who are the Covered Employees? Figure out and make a list.





# Examples of Work and Contract Labor Laws

- Construction work (i.e. carpentry, masonry) = Prevailing Wage (Chapter 6)
- Janitorial services or Security Guards – Prevailing Wage (Chapter 21C – Miscellaneous)
- Administrators/office staff, counselors, consultants = MCO & HCAO
- Architects, Engineers, Project Managers = MCO & HCAO



# Which laws do I comply with? Prevailing Wage or MCO & HCAO?



## Prevailing Wage

### Work Specific

- Chapter 6 (Construction)
- Chapter 21C (Miscellaneous)
  - Yes – Then Contract Law: Prevailing Wage
  - No – Then, MCO & HCAO

## MCO & HCAO

Minimum Compensation Ordinance (MCO)

Health Care Accountability Ordinance (HCAO)



# Continue to Part 2 – Contract versus City-Wide Labor Laws



Office of Labor Standards Enforcement

# Contact Us

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