

File No. 101331

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: November 17, 2010

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
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OTHER

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Completed by: Victor Young

Date: November 12, 2010

Completed by: Victor Young

Date: _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]
2

3 **Resolution fixing prevailing wage rates for: (1) workers performing work under City**
4 **contracts for public work and improvement; (2) workers performing work under City**
5 **contracts for janitorial services; (3) workers performing work in public off-street**
6 **parking lots, garages, or storage facilities for automobiles on property owned or leased**
7 **by the City; (4) workers engaged in theatrical or technical services for shows on**
8 **property owned by the City; (5) workers performing moving services under City**
9 **contracts at facilities owned or leased by the City; and (6) workers engaged in the**
10 **hauling of solid waste generated by the City in the course of City operations, pursuant**
11 **to a contract with the City.**
12

13 WHEREAS, The City and County of San Francisco (the "City") requires that prevailing
14 wage rates be paid on work performed under City contracts, as follows:

15 (1) *Public Works Contracts.* Charter Section A7.204(b) requires that City contracts for
16 public work or improvement provide that persons directly or indirectly performing work under
17 the contract be paid not less than the highest general prevailing rate of wages in private
18 employment for similar work, and Administrative Code Section 6.22(E) provides that
19 contractors and subcontractors performing a public work or improvement for the City shall pay
20 workers on such projects the highest general prevailing rate of wages, including per diem
21 wages and wages for holiday and overtime work, for various crafts and kinds of labor as paid
22 for similar work in private employment in San Francisco;

23 (2) *Janitorial Services Contracts.* Administrative Code Section 21.25-1 requires that
24 City contracts for janitorial services to be performed at facilities owned or leased by the City
25

1 provide that individuals performing janitorial services under the contract be paid not less than
2 the prevailing rate of wages, including wages for holiday and overtime work, and fringe
3 benefits or an equivalent amount, as paid in private employment for similar work in the area in
4 which the contract is being performed;

5 (3) *Parking Lot/Garage/Auto Storage Facility Contracts.* Administrative Code Section
6 21.25-2 requires that leases, management agreements, and other City contracts for the
7 operation of a public off-street parking lot, garage, or storage facility for automobiles on
8 property owned or leased by the City provide that employees as defined in Section 21.25-
9 2(a)(3) working at the parking lot, garage, or storage facility be paid not less than the
10 prevailing rate of wages, including wages for holiday and overtime work, and fringe benefits or
11 an equivalent amount, as paid in private employment for similar work in the area where the
12 lease, management agreement, or contract is being performed;

13 (4) *Theatrical Services Contracts.* Administrative Code Section 21.25-3 requires that
14 contracts, leases, franchises, permits, or agreements awarded, let, issued, or granted by the
15 City require that any employee as defined in Section 21.25-3(a)(4) engaged in theatrical or
16 technical services related to the presentation of a show, including, but not limited to, workers
17 engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping,
18 carpentry, special effects, and motion picture services be paid not less than the prevailing rate
19 of wages, including wages for holiday and overtime work, and fringe benefits or an equivalent
20 amount, as paid in private employment for similar work in the area where the contract, lease,
21 franchise, permit, or agreement is being performed;

22 (5) *Moving Services Contracts.* Administrative Code Section 21.25-x requires that City
23 contracts for moving services to be performed at any facility owned or leased by the City
24 provide that individuals performing moving services be paid not less than the prevailing rate of
25

1 wages, including wages for holiday and overtime work, and fringe benefits or an equivalent
2 amount, as paid in private employment for similar work in the area where the contract is being
3 performed;

4 (6) *Solid Waste Hauling Contracts*. Administrative Code Section 21.25-5 requires that
5 every contract awarded by the City for the hauling of solid waste generated by the City in the
6 course of City operations require that any employee as defined in Section 21.25-5(a)(5)
7 engaged in the hauling of solid waste be paid not less than the prevailing rate of wages,
8 including wages for holiday and overtime work, and fringe benefits or the equivalent thereof,
9 as paid in private employment for similar work in the area where the contract is being
10 performed; and

11 WHEREAS, For the foregoing purposes, Administrative Code Sections 6.22(E), 21.25-
12 1, 21.25-2, 21.25-3, 21.25-x, and 21.25-5 respectively require the Board of Supervisors (the
13 "Board") annually to fix and determine the prevailing rate of wages paid in private employment
14 in San Francisco for the various crafts and kinds of labor used on public works and
15 construction projects; for janitorial services; for workers in public off-street parking lots,
16 garages, or automobile storage facilities; for theatrical and technical services related to the
17 presentation of shows; for moving services; and for solid waste hauling services; and

18 WHEREAS, To aid the Board in the aforementioned determinations of prevailing wage
19 rates, Administrative Code Sections 6.22(E), 21.25-1, 21.25.2, 21.25-3, 21.25-x, and 21.25-5
20 respectively require the Civil Service Commission ("the Commission") to furnish to the Board
21 relevant data as to prevailing wage rates; and

22 WHEREAS, For that purpose the Commission at its September 20, 2010 meeting
23 considered the issue of prevailing wages and a report on that subject prepared by the
24 Department of Human Resources (the "DHR report"), which is on file with the Clerk of the
25

1 Board in File No. 101331, and is hereby declared to be a part of this resolution as if set forth
2 fully herein; and

3 WHEREAS, The Commission at its September 20, 2010 meeting certified the data in
4 and adopted the DHR report, which includes conclusions as to the prevailing wage rates to be
5 set in accordance with Administrative Code Sections 6.22(E), 21.25-1, 21.25-2, 21.25-3,
6 21.25-x, and 21.25-5 respectively; now, therefore, be it

7 RESOLVED, That the Board fixes and determines prevailing wage rates to be paid on
8 work performed under City contracts, as follows:

9 (1) *Public Works Contracts.* Pursuant to Administrative Code Section 6.22(E), the
10 Board fixes and determines the prevailing rate of wages, including per diem wages and wages
11 for holiday and overtime work, for the various crafts and kinds of labor paid in private
12 employment in San Francisco to be the prevailing wages identified in the DHR report,
13 specifically, the General Prevailing Wage Determinations made by the Director of Industrial
14 Relations, State of California, pursuant to California Labor Code Sections 1770, 1773, and
15 1773.1 (see Attachments 1-4 of the DHR report, at pages 6-228);

16 (2) *Janitorial Services Contracts.* Pursuant to Administrative Code Section 21.25-1,
17 the Board fixes and determines the prevailing rate of wages, including wages for holiday and
18 overtime work, and fringe benefits or an equivalent amount, paid in private employment for
19 janitorial work to be the prevailing wages identified in the aforementioned DHR report,
20 specifically, provisions of the collective bargaining agreement between the San Francisco
21 Maintenance Contractors Association and Service Employees International Union, Local 87,
22 in effect August 1, 2008 through July 31, 2012, and provisions of the collective bargaining
23 agreement between the San Francisco Window Cleaning Contractors Association and the
24 Window Cleaners Union, Service Employees International Union, Local 1877, in effect from
25

1 April 1, 2010 through March 31, 2013 (see Attachments 6 and 7 of the DHR report, at pages
2 270-332);

3 (3) *Parking Lot/Garage/Auto Storage Facility Contracts.* Pursuant to Administrative
4 Code Section 21.25-2, the Board fixes and determines the prevailing rate of wages, including
5 wages for holiday and overtime work, and fringe benefits or an equivalent amount, paid in
6 private employment for work in off-street parking lots, garages, or automobile storage facilities
7 to be the prevailing wages identified in the aforementioned DHR report, specifically, provisions
8 of the Garage and Parking Lot Agreement between the Jurisdictional Operators of Parking
9 Facilities and Teamsters Automotive and Allied Workers, Local 665, in effect from December
10 1, 2008 through November 30, 2012 (see Attachment 5 of the DHR report, at pages 229-269);

11 (4) *Theatrical Services Contracts.* Pursuant to Administrative Code Section 21.25-3,
12 the Board fixes and determines the prevailing rate of wages, including wages for holiday and
13 overtime work, and fringe benefits or an equivalent amount, paid for theatrical or technical
14 services related to the presentation of a show including, but not limited to, rigging, sound,
15 projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and
16 motion picture services to be the prevailing wages identified in the aforementioned DHR
17 report, specifically, provisions of the 2010 Project Agreement of Local 16, International
18 Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts,
19 in effect from July 1, 2010 through December 31, 2010 (see Attachment 8 of the DHR report,
20 at pages 333-354);

21 (5) *Moving Services Contracts.* Pursuant to Administrative Code Section 21.25-x, the
22 Board fixes and determines the prevailing rate of wages, including wages for holiday and
23 overtime work, and fringe benefits or an equivalent amount, paid in private employment for
24 moving services to be the prevailing wages identified in the aforementioned DHR report,
25

1 specifically, provisions of the Carpenters Truck Driver and Mover Agreement between the
2 Northern California Regional Council of Carpenters and the Carpenters 46 Northern California
3 Counties Conference Board, in effect September 1, 2010 through August 31, 2012 (see
4 Attachment 9 of the DHR report, at pages 355-363); and

5 (6) *Solid Waste Hauling Contracts*. Pursuant to Administrative Code Section 21.25-5,
6 the Board fixes and determines the prevailing rate of wages, including wages for holiday and
7 overtime work, and fringe benefits or the equivalent thereof, paid to employees engaged in the
8 hauling of solid waste, to be the wages identified in the aforementioned DHR report,
9 specifically, provisions of the Collective Bargaining Agreement Between Sanitary Truck
10 Drivers and Helpers Union Local 350, International Brotherhood of Teamsters, and NorCal
11 Waste Systems, Inc., Golden Gate Disposal & Recycling Company, Sunset Scavenger
12 Company, in effect from January 1, 2005 through December 31, 2011 (see Attachment 10 of
13 the DHR report, at pages 364-392).

14 RECOMMENDED:

15 CIVIL SERVICE COMMISSION

16
17 By:


18 ANITA SANCHEZ
19 EXECUTIVE OFFICER

Item 1
File 10-1331

Department:
Civil Service Commission (CSC);
Department of Human Resources (DHR)

EXECUTIVE SUMMARY

Legislative Objective

- The proposed resolution would fix prevailing wage rates for workers under City contracts that (1) perform public works and improvement projects, (2) perform janitorial services, (3) work in public off-street parking lots, garages, or storage facilities for vehicles on property owned or leased by the City, (4) engage in theatrical or technical services related to the presentation of shows on property owned or leased by the City, (5) perform moving services at facilities owned or leased by the City, and (6) haul solid waste.

Key Points

- Each year, the Board of Supervisors is required to determine and establish the prevailing wage rates that specified businesses having contracts with the City are required to pay their employees. The Civil Service Commission assists the Board of Supervisors by furnishing relevant prevailing wage data; however the Board of Supervisors is not bound to consider only the Civil Service Commission's data.
- The proposed resolution would establish the following prevailing wage rates: (1) construction workers would be paid between \$10.38 and \$59.68 hourly, depending on the classification of the workers; (2) janitorial workers would be paid \$18.40 hourly and window cleaners would be paid an average of \$20.98 hourly; (3) parking lot workers would be paid \$20.74 hourly, as of December 1, 2010; (4) theatrical workers would be paid between \$31.06 and \$44.21 hourly, depending on the classification of the workers; (5) workers performing moving services would be paid either \$18.05 or \$18.32 hourly, depending on their classification; and (6) workers hauling solid waste would be paid between \$34.88 and \$40.78 hourly, increasing to between \$36.38 and \$42.28 hourly, as of January 1, 2011. These hourly rates exclude fringe benefits pension, vacation and holiday pay, which are separately calculated and provided in the data forwarded by the Civil Service Commission to the Board of Supervisors.

Fiscal Impacts

- Since City contractors performing construction, janitorial and window cleaning, parking, theatrical, moving, and solid waste hauling services work in San Francisco are required to pay their employees at least the prevailing wage rates noted above, the Budget and Legislative Analyst notes that the proposed resolution could result in increased costs of such future contracts. However, such costs are dependent on future contractor bids and the extent to which the requirement to pay prevailing wage rates might have caused the bids submitted by the contractors to the City to be higher than such bids otherwise would have been. Therefore, such potential increased costs cannot be estimated at this time.

Recommendation

- Approval of the proposed resolution is a policy decision for the Board of Supervisors.

MANDATE STATEMENT / BACKGROUND

Mandate Statement

Section A7.204 of the City's Charter provides that employees working for private businesses having contracts with the City must be paid the highest general prevailing rate of wages for similar work in private employment. In accordance with specified sections of the City's Administrative Code, the Board of Supervisors must annually set such prevailing wage rates. Table 1 below identifies the (a) specific Administrative Code Sections, (b) date each Administrative Code Section was last amended by the Board of Supervisors, and (c) types of private businesses having contracts with the City which are required to pay their employees the most recent annual prevailing wages.

Table 1: List of Contractors Required to pay the Annual Prevailing Wage

Administrative Code	Date	Private Businesses Having Contracts with the City Which are Required to Pay the Annual Prevailing Wage to their Employees
Section 6.22 (E)	Amended on June 10, 2005	Public works or construction improvement contracts
Section 21.25-1	Amended on August 6, 1999	Janitorial and window cleaning services contracts
Section 21.25-2	Amended on January 24, 2003	Public off-street parking lots, garages and vehicle storage facilities contracts
Section 21.25-3	Amended on May 6, 2004	Theatrical performances contracts
Section 21.25-x	Amended on July 22, 2004	Moving services contracts
Section 21.25-5	Amended on January 19, 2007	Solid waste hauling services contracts

Background

Each year, the Board of Supervisors is required to determine and establish the prevailing wage rates that contractors with the City are required to pay their construction, janitorial and window cleaning, parking, theatrical, moving, and solid waste hauling service employees.

To assist the Board of Supervisors in determining the prevailing wage rates, the Civil Service Commission is required to furnish the Board of Supervisors, on or before the first Monday of November of each year, relevant prevailing wage rate data. Administrative Code Section 6.22(E) states that the Board of Supervisors is not limited to the data submitted by the Civil Service Commission to determine the prevailing wage rates, but may consider other information on the subject, as the Board of Supervisors deems appropriate.

DETAILS OF PROPOSED LEGISLATION

The proposed resolution would fix prevailing wage rates for workers under City contracts that (1) perform public works and improvement projects, (2) perform janitorial and window services, (3) work in public off-street parking lots, garages, or storage facilities for vehicles on property owned or leased by the City, (4) engage in theatrical or technical services related to the

presentation of shows on property owned or leased by the City, (5) perform moving services at facilities owned or leased by the City, and (6) haul solid waste.

As discussed above, in order to assist the Board of Supervisors in determining and establishing prevailing wage rates, the Civil Service Commission is required to submit relevant prevailing wage rate data to the Board of Supervisors, on or before the first Monday of November of each year. On September 20, 2010, the Civil Service Commission reviewed and certified the prevailing wage rate data compiled by the Department of Human Resources and forwarded the following data to the Board of Supervisors on October 28, 2010:

1. Public Works and Construction Improvement Contracts: General Prevailing Wage Determinations made by the Director of Industrial Relations, State of California for various crafts and labor classifications, pursuant to California Labor Code Sections 1770, 1773 and 1773.1.

2. Janitorial and Window Services Contracts: Collective bargaining agreement effective August 1, 2008 through July 31, 2012 between the San Francisco Maintenance Contractors Association and the Service Employees International Union, Local 1877, Division 87. The collective bargaining agreement effective April 1, 2010 through March 31, 2013 between the San Francisco Window Cleaning Contractors Association and the Window Cleaners Union, Service Employees International Union, Local 1877.

3. Contracts for Public Off-street Parking Lots, Garages, and Facilities used for Storing Vehicles: Garage and Parking Lot Agreement, effective December 1, 2008 through November 30, 2012, between the Jurisdictional Operators of Parking Facilities and Teamsters Automotive and Allied Workers, Local 665.

4. Theatrical Services Contracts: The 2010 Project Agreement, effective July 1, 2010 through December 31, 2010 between the Employer and the International Alliance of Theatrical Stage Employees, Local 16, and Moving Picture Technicians, Artists and Allied Crafts.

5. Moving Services Contracts: Carpenters, Truck Drivers and Movers Agreement, effective September 1, 2010 through August 31, 2012 between the Northern California Regional Council of Carpenters and the Carpenters 46 Northern California Counties Conference Board.

6. Solid Waste Hauling Contracts: Collective Bargaining Agreement effective January 1, 2005 through December 31, 2011 between Sanitary Truck Drivers and Helpers Union Local 350, International Brotherhood of Teamsters, NorCal Waste Systems, Inc., Golden Gate Disposal & Recycling Company, and Sunset Scavenger Company.

FISCAL IMPACTS

Staff Costs to Compile Prevailing Wage Rates

According to Mr. Rich David, Senior Administrative Analyst of the Department of Human Resources (DHR), DHR staff expended approximately 40 hours to conduct a survey for the Civil Service Commission in order to compile the data and prepare the report pertaining to the

prevailing wage rates, which must be paid to employees of private businesses having contracts with the City, with respect to the six types of contracts listed above. Mr. David advises that such staff costs, which are incurred to compile the data and prepare the report, are absorbed within the DHR's annual budget.

Prevailing Wage Rates

Based on the above-noted prevailing wage rate data, as compiled by DHR, the proposed resolution would establish the following prevailing wage rates:

- (1) construction workers would be paid between \$10.38 and \$59.68 hourly, depending on the classification of the workers;
- (2) janitorial workers would be paid \$18.40 hourly and window cleaners would be paid an average of \$20.98 hourly;
- (3) parking lot workers would be paid \$20.74 hourly, as of December 1, 2010;
- (4) theatrical workers would be paid between \$31.06 and \$46.21 hourly, depending on the classification of the workers;
- (5) workers performing moving services would be paid either \$18.05 or \$18.32 hourly, depending on their classification; and
- (6) workers hauling solid waste would be paid between \$34.88 and \$40.78 hourly, increasing to between \$36.38 and \$42.28 hourly, as of January 1, 2011.

Mr. David advises that these hourly rates exclude fringe benefits, pension, vacation and holiday pay, which are separately calculated and provided in the data forwarded by the Civil Service Commission to the Board of Supervisors.

Enforcement of Prevailing Wage Rates

Ms. Donna Levitt, Manager of the City's Office of Labor Standards Enforcement (OLSE), currently employs 3.00 FTE 2978 Contract Compliance Officer IIs and a 0.30 FTE 0932 Manager IV at an annual cost of approximately \$440,000 in order to enforce the City's prevailing wage rate contract requirements. Contractors with the City who fail to pay prevailing wages face retroactive liability for the difference between the wages actually paid and the prevailing wage rates applicable to the job classification of the worker.

According to Ms. Levitt, the Office of Labor Standards Enforcement conducted 47 enforcement actions in FY 2009-2010. The OLSE made assessments against 46 public works contractors and one contractor who hauls biosolids on a City contract totaling \$511,278 in back wages owed to contract employees and \$186,436 in penalties owed to the City. After finding egregious violations on several City contracts, the OLSE suspended a painting contractor this year, preventing the contractor from bidding on City contracts for a 4.5 year period, the longest suspension for prevailing wage violations in the City's history.

POLICY CONSIDERATION**Potential impact on the costs of future contractor bids**

Under the proposed resolution, private businesses having contracts with the City which perform construction, janitorial and window cleaning, parking, theatrical, moving, and solid waste hauling services work in San Francisco would be required to pay their employees at least the prevailing wage rates as noted above. The Budget and Legislative Analyst therefore notes that it is possible that requiring City contractors to pay at least such prevailing wage rates could result in increased costs of future City contracts. However, any increased costs as a result of the proposed resolution is dependent on future contractor bids, and the extent to which the requirement to pay prevailing wage rates might have caused the bids submitted by the contractors to the City to be higher than such bids otherwise might have been. Therefore, such potential increased costs cannot be estimated at this time.

RECOMMENDATION

Approval of the proposed resolution is a policy decision for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY



DENNIS J. HERRERA
City Attorney

PAUL ZAREFSKY
Deputy City Attorney

DIRECT DIAL: (415) 554-4652
E-MAIL: paul.zarefsky@sfgov.org

October 28, 2010

Ms. Angela Calvillo
Clerk, Board of Supervisors

Re: Resolution Fixing Prevailing Wage Rates Pursuant To Administrative Code Sections
6.22(E), 21.25-1, 21.25-2, 21.25-3, 21.25-x, and 21.25-5

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 OCT 28 PM 3:31
BY [Signature]

Dear Ms. Calvillo:

On behalf of the Civil Service Commission, I am submitting the original and four copies of the proposed Resolution pertaining to the fixing of prevailing wage rates as noted above.

Please note that in the "Whereas" clause beginning at page 3, line 22, the Resolution references and incorporates the Human Resources Department report that was adopted by the Commission at its September 20, 2010 meeting and that includes the data forwarded by the Commission to the Board of Supervisors. The Executive Officer of the Civil Service Commission has forwarded this report and the accompanying data to the Clerk's Office.

Please also note that in the same "Whereas" clause, at page 4, line 1 of the Resolution, it will be necessary for the Clerk's Office to insert the File Number for this matter.

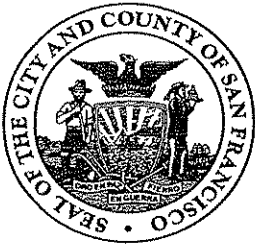
Thank you for processing this submission and for making the necessary arrangements for a timely hearing on the proposed Resolution.

Very truly yours,

DENNIS J. HERRERA
City Attorney

Paul Zarefsky
Paul Zarefsky
Deputy City Attorney

cc: Anita Sanchez, Executive Officer
Civil Service Commission



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

orig: Joy
c: BOS-11, COB,
cpage

* Report is in the Clerk's Office.

September 22, 2010

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 SEP 23 AM 9:41
BY ea

E. DENNIS NORMANDY
PRESIDENT

DONALD A. CASPER
VICE PRESIDENT

MORGAN R. GORRONO
COMMISSIONER

LISA SEITZ GRUWELL
COMMISSIONER

MARY Y. JUNG
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

SUBJECT: Prevailing Wage Certification Legislation

Dear Ms. Calvillo:

At its meeting of September 20, 2010 the Civil Service Commission had for its consideration the certification of the highest prevailing rate of wages of the various crafts and kinds of labor paid in private employment in the City and County of San Francisco (CSC File No. 0320-10-3). A copy of the report prepared by the Department of Human Resources is attached.

It was the decision of the Civil Service Commission, in accordance with Charter Section A7.204 and Administrative Code Section 6.22, to adopt the Department of Human Resources' report.

The Civil Service Commission requested the City Attorney to draft legislation to accompany the report being forwarded to the Board of Supervisors as required by the Administrative Code. The draft legislation prepared by the City Attorney will be forwarded to you.

Please call me at 252-3250, if there are questions or if further information is needed related to the action of the Civil Service Commission.

Sincerely,

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

for

Attachments

c: Paul Zarefsky, Deputy City Attorney



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

E. DENNIS NORMANDY
PRESIDENT

September 22, 2010

DONALD A. CASPER
VICE PRESIDENT

NOTICE OF CIVIL SERVICE COMMISSION ACTION

MORGAN R. GORRONO
COMMISSIONER

SUBJECT: CERTIFICATION OF THE HIGHEST PREVAILING RATE OF WAGES OF THE VARIOUS CRAFTS AND KINDS OF LABOR PAID IN PRIVATE EMPLOYMENT IN THE CITY AND COUNTY OF SAN FRANCISCO.

LISA SEITZ GRUWELL
COMMISSIONER

At its meeting of **September 20, 2010** the Civil Service Commission had for its consideration the above matter.

MARY Y. JUNG
COMMISSIONER

It was the decision of the Commission to adopt the report; Forward to the Board of Supervisors.

ANITA SANCHEZ
EXECUTIVE OFFICER

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

A handwritten signature in black ink, appearing to read "Anita Sanchez".

ANITA SANCHEZ
Executive Officer

c: Micki Callahan, Human Resources Director
Rafael Centeno, Airport Commission
Rich David, Department of Human Resources
Martin Gran, Department of Human Resources
Lavena Holmes-Williams, Port Commission
Alice Kwong, Municipal Transportation Agency
Donna Levitt, Office of Contract Administration
Linda Marini, Public Utilities Commission
Steven Ponder, Department of Human Resources
Elizabeth Salvesson, City Attorney's Office
Tammy Wong, General Services Agency
Commission File
Chron

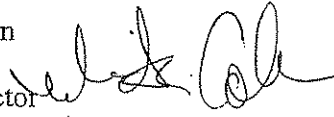


Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

DATE: September 20, 2010

TO: The Honorable Civil Service Commission

THROUGH: Micki Callahan, Human Resources Director 

SUBJECT: CERTIFICATION OF THE HIGHEST PREVAILING RATE OF WAGES OF THE VARIOUS CRAFTS AND KINDS OF LABOR PAID IN PRIVATE EMPLOYMENT IN THE CITY AND COUNTY OF SAN FRANCISCO

RECOMMENDATION: ADOPT REPORT; FORWARD TO BOARD OF SUPERVISORS

Section 6.22 of the Administrative Code requires the Civil Service Commission furnish the Board of Supervisors, on or before the first Monday in November of each year, data as to the highest general prevailing rate of wages of the various crafts and kinds of labor as paid in private employment in the City and County of San Francisco. The attached General Prevailing Wage Determinations made by the Director of Industrial Relations, State of California pursuant to the California Labor Code reports the highest prevailing rate of wages of the various crafts paid in private employment in the City and County of San Francisco (Please see Attachments 1-4).

In May 1999, the Board of Supervisors amended the Administrative Code by adding section 21.25-1 to require that "Every Contract issued by the City and County of San Francisco for Janitorial Services to be performed at any facility owned or leased by the City and County of San Francisco, where such work is to be done directly under the contract awarded (a "prime contract") must require that any individual performing Janitorial Services there under be paid not less than the Prevailing Rate of Wages, including fringe benefits or the matching equivalents thereof, paid in private employment for similar work in the area in which the Contract is being performed, as determined by the Civil Service Commission." Attachment 6 contains the contractual changes of the Collective Bargaining Agreement between the San Francisco Maintenance Contractors Association and Service Employees International Union, Building Service Employees Union, Local 1877 Division 87 in effect from August 1, 2008 through July 31, 2012, reflecting the prevailing wage rates for individuals performing janitorial services in San Francisco. The parties are currently in negotiations for a new contract (Please see Attachment 6).

Attachment 7 contains the contractual changes of the Collective Bargaining Agreement between the San Francisco Window Cleaning Contractors Association and Window Cleaners Union – SEIU Local 1877, AFL-CIO in effect from April 1, 2010 to March 31, 2013, reflecting the wage and benefits levels for individuals performing window cleaning services in San Francisco (Please see Attachment 7).

In January 2003, the Board of Supervisors further amended the Administrative Code by adding Section 21.25-2 to require workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City and County of San Francisco

be paid the prevailing wage rate. Attachment 5 is the Garage and Parking Lot Agreement between Parking Employers and Teamsters Automotive Employees, Local 665 in effect from December 1, 2008 until November 30, 2012 which reflects the prevailing wage rates for parking and garage attendants (Please see Attachment 5).

In April 2004, the Board of Supervisors amended the Administrative Code by adding Section 21.25-3 (Ordinance 76-04) to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services for shows on property owned by the City and County of San Francisco be paid the prevailing wage rate. Attachment 8 is the International Alliance of Theatrical Stage Employees Bargaining Agreement, Local 16 in effect from July 1, 2010 through December 31, 2010 (Please see Attachment 8).

In July 2004, the Board of Supervisors amended the Administrative Code by adding Section 21.25-x (Ordinance 169-04) to the Administrative Code to require that "any individual performing moving services...be paid not less than the Prevailing Rate of Wages". Attachment 9 is the Carpenters Truck Driver and Mover Agreement between the Northern California Regional Council of Carpenters and the Carpenters 46 Northern California Counties Conference Board in effect from September 1, 2010 until August 31, 2012. The standard agreement is used for Employers in Northern California. Signed copies of the union's contracts with its larger employers in San Francisco, reflecting the same prevailing wage rates for furniture movers and related classifications are included for reference (Please see Attachment 9).

Finally, in December 2006, the Board of Supervisors amended the Administrative Code by adding Section 21.25-5, "Any employee engaged in the hauling of solid waste be paid not less than the Prevailing Rate of Wages". Attachment 10 is the Collective Bargaining Agreement between the Sanitary Truck Drivers and Helpers Union Local 350, IBT and NorCal Waste Systems Inc., Golden Gate Disposal & Recycling Company, Sunset Scavenger Company, in effect from January 1, 2005 until December 31, 2011, which reflects the prevailing wage rates for individuals performing the following: 1) driver of an 18 wheel truck with a leak proof/secured garbage pick-up is the Commercial Driver; and 2) individual performing the garbage pick-up, refuse and recyclables (the blue and black containers) and may drive the truck is the Route Lead Person/Fantastic 3 (Please see Attachment 10).

For ease of reference, also included is an alphabetical list of the occupations covered in these various Wage Determinations (Please see Attachment 11).

It is recommended that the Civil Service Commission certify the State Department of Industrial Relations Director's General Prevailing Wage Determination Report and Employee Bargaining Agreements, which reflect the highest prevailing rate of wages paid various crafts and kinds of labor paid in private employment in the City and County of San Francisco.

September 20, 2010

If the Civil Service Commission certifies these rates, companion legislation effectuating such proposed changes should be drafted by the City Attorney and transmitted to the Board of Supervisors concurrently with the certification.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'SP', with a long horizontal line extending to the right.

Steve Ponder
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