

1 [Gift of Funds to Office of Labor Standards Enforcement.]

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3 **Resolution authorizing the Office of Labor Standards Enforcement to accept and**
4 **expend a gift in the amount of \$33,892.65 pursuant to the settlement agreement in**
5 **Aubrey et al. v. Marriott International, Inc. et al. for the purpose of enforcement of the**
6 **San Francisco Minimum Wage.**

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8 WHEREAS, In November 2003, San Francisco voters adopted the San Francisco
9 Minimum Wage Ordinance, now codified as Section 12R of the San Francisco Administrative
10 Code; and,

11 WHEREAS, The Office of Labor Standards Enforcement (OLSE) is designated in the
12 Minimum Wage Ordinance as the city agency tasked with implementation and enforcement of
13 the law; and,

14 WHEREAS, The Minimum Wage Ordinance provides for civil enforcement of the law in
15 a court of competent jurisdiction; and,

16 WHEREAS, On September 26, 2005 workers filed a claim against Marriott Corporation
17 (“Aubrey et al. v. Marriott International, Inc. et al.” Case No. CGC-05-445159) in San
18 Francisco Superior Court alleging violations of the Minimum Wage Ordinance; and,

19 WHEREAS, On May 9, 2007 the San Francisco Superior Court accepted judgment of a
20 settlement agreement between the parties, a copy of which is on file with the Clerk of the
21 Board of Supervisors in File No. 080384 and is incorporated herein by reference; and,

22 WHEREAS, Section V(F) (“Charity”) of the settlement agreement provides for a gift of
23 funds to OLSE of “all Payments that Marriott has been unable to make to members of the
24 Settlement Class” despite diligent efforts; and,

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1 WHEREAS, The settlement agreement stipulates that all funds gifted to OLSE “shall be
2 specifically designated for the purpose of enforcement of the San Francisco Minimum Wage”;
3 and,

4 WHEREAS, Pursuant to Section V(F) of the settlement agreement, a gift of funds in the
5 amount of \$33,892.65 was delivered to OLSE on October 15, 2007; now, therefore; be it

6 RESOLVED, That OLSE is hereby authorized to accept this gift in accordance with the
7 requirements set forth pursuant to San Francisco Administrative Code Section 10.100-305;
8 and, be it

9 FURTHER RESOLVED, That the Office of the Controller shall establish an account for
10 the purpose of accepting this gift; and, be it

11 FURTHER RESOLVED, That the account established by the Office of the Controller
12 shall restrict the use of these gifted funds to OLSE’s enforcement of the Minimum Wage
13 Ordinance.

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15 Recommended:

Approved:

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OLSE Manager

Mayor’s Office

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Controller

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