

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.**

7  
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,

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,

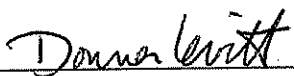
4 WHEREAS, Pursuant to Section V(F) of the settlement agreement, a gift of funds in the  
5 amount of \$33,892.65 was delivered to OLSE on October 15, 2007; now, therefore; be it

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

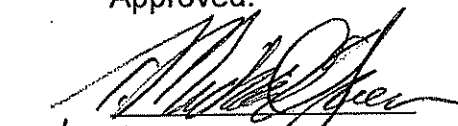
9 FURTHER RESOLVED, That the Office of the Controller shall establish an account for  
10 the purpose of accepting this gift; and, be it


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.

14  
15 Recommended:

16   
17 OLSE Manager

Approved:

  
for Mayor's Office

18  
19   
20 Controller  
21  
22  
23  
24  
25



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tails  
Resolution

File Number: 080384

Date Passed:

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


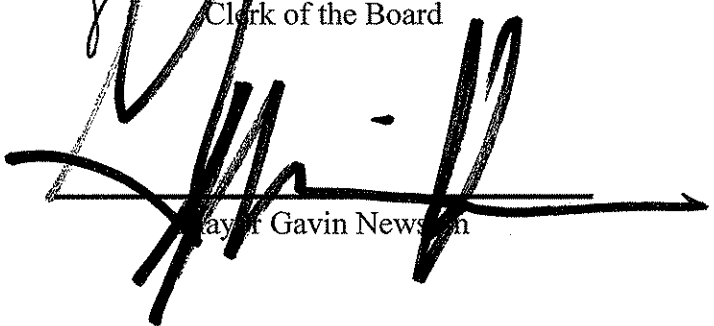
March 25, 2008 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080384

I hereby certify that the foregoing Resolution was ADOPTED on March 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

4.3.08  
Date Approved

  
Angela Calvillo  
Clerk of the Board  
  
Mayor Gavin Newsom