

LEGISLATIVE DIGEST

[Administrative, Police Codes - Prevailing Wage for Security Guard Services]

Ordinance amending the Administrative Code to require prevailing wages in City contracts for security guard services and that prevailing wages be paid for security guard services at certain events on City property; and amending the Police Code to make a technical clarification regarding worker retention requirements for security guards.

Existing Law

In addition to prevailing wage requirements governing public works projects, several ordinances require the payment of prevailing wages for certain types of work connected with City property, including, among others, janitorial services, parking garage attendant services, theatrical workers services, moving services, and trade show work. See S.F. Admin. Code §§ 21C.1-21C.9. There is no prevailing wage ordinance governing security guard services.

Amendments to Current Law

The proposed ordinance would require the payment of prevailing wages for Security Guard Services performed under a City contract or for events on City property. The proposed ordinance defines “Security Guard Services” as services to protect persons or property or prevent theft, performed by nonsupervisory employees who are licensed by the California Bureau of Security and Investigative Services (BSIS) or a successor agency to provide security guard or proprietary security guard service.

City Contracts

The proposed ordinance would require that any individual performing Security Guard Services under a City contract at any facility or on any property owned or leased by the City be paid prevailing wages. The prevailing wage requirement would apply to subcontracts, as well as prime contracts.

The following types of contracts would be excluded from the prevailing wage requirement: (1) contracts issued by the San Francisco Airport Commission or to be performed at any facility owned, leased, or otherwise under the jurisdiction of the San Francisco Airport Commission, and (2) contracts for a cumulative amount of \$10,000 or less per Security Guard Services provider in each fiscal year.

Contracts, Leases, Franchises, Permits, or Agreements for Events on City property

The proposed ordinance would also require that every contract, lease, franchise, permit, or agreement awarded, let, issued, or granted by the City require that any individual engaged in Security Guard Services for an Event on City property be paid prevailing wages. The proposed ordinance defines an "Event" as any organized gathering of people, including but not limited to a live performance, dance, convention, conference, parade, or exposition on City property.

The prevailing wage requirement would not apply to the following types of events or agreements:

- Celebration of a marriage, domestic partnership, or similar civil union.
- An Event to which the public has free access when the Event is in a public park, on a public street, or on property under the jurisdiction of the Port Commission, and the advertising and promotion for the Event is less than \$10,000.
- Any permit or agreement to engage in film production pursuant to Chapter 57 of this Code or under the circumstances set forth in Section 57.7 of this Code.
- Any Event for which the total number of employees providing Security Guard Services for the Event is less than fifteen persons.

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