

REVISED LEGISLATIVE DIGEST

(1/12/2015, Amended in Committee)

[Police Code - Property Services Contractors at Formula Retail Establishments]

Ordinance amending the Police Code to require Formula Retail Establishments that have entered into contracts with Property Services Contractors that are in effect between January 4, 2015, and July 3, 2015, to provide such contractors with copies of Police Code, Articles 33F, and 33G, which establish certain rights of employees of such contractors.

Existing Law

The Board of Supervisors enacted two ordinances on November 25, 2014 that, collectively, have been referred to as the “Formula Retail Workers’ Bill of Rights.”

One of the ordinances, No. 236-14, is entitled, “Predictable Scheduling and Fair Treatment for Formula Retail Employees Ordinance.” It requires Formula Retail Establishments to provide employees with two weeks’ notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days’ notice and unused on-call shifts. The ordinance also provides part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees. The other ordinance, No. 241-14, requires Formula Retail Establishments to offer additional hours of work, when available, to current part-time employees. The ordinance also requires successor employers to retain employees for 90 days upon a change in control of the business. Both ordinances will become effective at the end of the day on January 4, 2015, and will become operative 180 days thereafter.

The ordinances apply to “Property Services Contractors,” defined as contractors or subcontractors of Formula Retail Establishments that provide janitorial and/or security services to Formula Retail Establishments. Both ordinances require Formula Retail Establishments to provide Property Services Contractors with which they execute contracts on or after July 3, 2015 a copy of the ordinances.

The ordinances do not require Formula Retail Establishments to provide copies of the ordinances to Property Service Contractors with which they have existing contracts or with which they enter into contracts before July 3, 2015.

Amendments to Current Law

The proposed legislation would require Formula Retail Establishments that have contracts with Property Services Contractors that are in effect as of January 4, 2015 to provide a copy

FILE NO. 141265

of the “Formula Retail Workers’ Bill of Rights” ordinances to the Property Services Contractor on or before April 15, 2015. For any contract between a Formula Retail Establishment and a Property Services Contractor that is executed between January 4, 2015 and July 3, 2015, the Formula Retail Establishment must provide a copy of the “Formula Retail Workers’ Bill of Rights” ordinances to the Property Services Contractor within 10 days of the date the parties execute the contract.

n:\legana\as2014\1500378\00983336.doc