

MUST POST WHERE EMPLOYEES CAN READ EASILY. VIOLATORS ARE SUBJECT TO PENALTIES.

OFFICIAL  **NOTICE**

Oakland Hotel Worker's Minimum Wage Rate
Effective January 1, 2023

\$17.37 Per Hour
With Health
Benefits or **\$23.15 Per Hour**
Without Health
Benefits

Beginning January 1, 2023, hotel employees (whether employed directly by a hotel or by a contractor of a hotel) working at hotels with 50 or more guest rooms or suites of rooms in the City of Oakland **must** be paid wages of not less than **\$17.37 per hour with health benefits, or \$23.15 per hour without health benefits.** *Health benefits, for purposes of this requirement, consist of the payment of \$5.78 per hour towards the provision of health care benefits for hotel employees and their dependents.*

Oakland's hotel minimum wage requirement, pursuant to Measure Z and set forth in Oakland Municipal Code (OMC) section 5.93.040, applies to any hotel employee who was hired to or did perform work an average of five hours per week for at least four weeks at one or more hotels within the City of Oakland. Each year, the hotel worker minimum wage will increase, effective January 1, by an amount corresponding to the prior calendar year's increase if any, in the Consumer Price Index for urban wage earners and clerical workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area.

Under OMC Section 5.93.060, hotel employees who assert their right to receive the City's hotel minimum wage are protected from retaliation. If an employee believes a violation has occurred, the employee may file a complaint with the City's Department of Workplace and Employment Standards. The City may investigate possible violations and will have access to payroll records. The City, City Attorney, any person who is aggrieved by a violation of this law, or any entity a member of which is aggrieved by a violation of this law, or any other person or entity acting on behalf of the public as provided for under applicable state law, may bring civil action in a court and, upon prevailing, shall be entitled to all remedies available, including but not limited to back pay, reinstatement, and/or injunctive relief, and the payment of an additional sum as penalty in the amount of \$50 to each employee or person whose rights under this Chapter were violated for each day that the violation occurred or continued, up to a maximum of \$1,000.00 per employee or aggrieved person.

PLEASE NOTE: If you have questions, need additional information, or believe you are not being paid correctly, please contact your employer or the City of Oakland's Department of Workplace and Employment Standards at:

Department of Workplace and Employment Standards
250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor Oakland, CA 94612
Telephone: 510-238-6258
E-Mail: minwageinfo@oaklandca.gov

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CITY OF OAKLAND
EFFECTIVE DECEMBER 23, 2018

HUMANE WORKLOAD REQUIREMENTS for OAKLAND HOTEL WORKERS

Pursuant to Measure Z, codified at Oakland Municipal Code (OMC) section 5.93.030, a hotel employer shall not require a room cleaner to clean rooms amounting to more than 4,000 square feet of floorspace, or more than the maximum floor space otherwise specified in the law in any one, eight-hour workday unless the hotel employer pays the room cleaner twice his or her regular rate of pay for all hours worked by the room cleaner during the workday. If a room cleaner works fewer than eight hours in a workday, the maximum floor space shall be reduced on a prorated basis. When a room cleaner during a workday is assigned to clean any combination of seven or more checkout rooms or additional bed rooms over six, the maximum floorspace to be cleaned shall be reduced by 500 square feet for each such checkout or additional bed room over six. These limitations apply to any combination of spaces, including guest rooms and suites, meeting rooms or hospitality rooms, and apply regardless of the furniture, equipment or amenities in any rooms.

In addition, a hotel employer shall not suffer or permit a hotel employee to work more than 10 hours in any workday unless the hotel employee consents. Consent must be written and signed by the hotel employee or communicated electronically through an account or number particular to the hotel employee. No consent is valid unless the hotel employer has advised the hotel employee in writing not more than 30 days preceding the consent that the hotel employee may decline to work more than 10 hours in any workday and that the hotel employer will not subject the hotel employee to any adverse action for declining. Such notice shall be provided in each language spoken by more than ten percent (10%) or ten (10) hotel employees at the hotel, whichever is less. An assignment in excess of 10 hours in a workday due to an emergency situation shall not violation this section. For purposes of this law, an "emergency situation" means an immediate threat to public safety or of substantial risk of property loss or destruction.

Under OMC section 5.92.050, hotel employees who assert their rights under Oakland's Humane Workload standards are protected from retaliation. If employees believe a violation has occurred, employees may file a complaint with the City's Department of Workplace and Employment Standards. The City will investigate possible violations and will have access to room cleaning records.

If you have questions or need additional information, please contact your employer or the City of Oakland's Contracts and Compliance Division at:

Department of Workplace and Employment Standards
250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor Oakland, CA 94612
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**THE LAW PROTECTS HOTEL HOUSEKEEPERS AND
EMPLOYEES FROM CRIMES AND THREATENING BEHAVIOR**

Pursuant to Measure Z, codified in Oakland Municipal Code (OMC) section 5.93.020, this hotel is providing panic buttons to its housekeepers, room servers, and other hotel employees assigned to work in guest rooms or bathrooms without other employees present.

PLEASE NOTE - Employees have the right to:

- ✓ Report the occurrence of threatening behavior or violence by a guest or member of the public, including but not limited to assault, sexual assault, or sexual harassment.
- ✓ Be reassigned to a different floor or different work area.
- ✓ Receive paid time to contact the police and provide a police statement.
- ✓ Receive paid time to consult with a counselor or advisor.

No hotel employee may be disciplined for use of the panic button absent clear and convincing evidence the employee knowingly and intentionally made a false claim of emergency.

If you have questions or need additional information, please contact hotel management or the City of Oakland's Department of Workplace and Employment Standards at:

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250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor Oakland, CA 94612
Telephone: 510-238-6258 or E-Mail: minwageinfo@oaklandca.gov