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Department of Workplace and Employment Standards

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**Interpretive Rule Regarding  
the Sunset Date for the City of Oakland’s  
Grocery Worker Hazard Pay Emergency Ordinance  
(Oakland Municipal Code (OMC) Chapter 5.96)**

**Interpretive Rule.** Pursuant to OMC section 5.92.050(L), the Department of Workplace and Employment Standards hereby issues the following Interpretive Rule regarding the sunset date of the Grocery Worker Hazard Pay Emergency Ordinance (“Ordinance”):

Section 4, of the Grocery Worker Hazard Pay Emergency Ordinance provides that Section 5 of the Ordinance (OMC Chapter 5.96) “shall remain in effect during any period the City of Oakland is within a Widespread (purple), Substantial (red) or Moderate (orange) Risk Level and shall become ineffective during any period when the Risk Level in the City of Oakland returns to Minimal (yellow) under State of California Health Orders.”

As of June 8, 2021, Alameda County’s current tier assignment is Minimal (yellow tier) according to the State of California’s website: [Blueprint for a Safer Economy - Coronavirus COVID-19 Response \(ca.gov\)](#). Accordingly, the Grocery Worker Hazard Pay Emergency Ordinance is no longer in effect.

Note however that Covered Employees retain their rights to pursue claims they may have had under the Ordinance against their Covered Employers for the period(s) when the Ordinance was in effect, subject to applicable law.