

ORDINANCE NO. 2002-45

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO PERSONNEL; CREATING ARTICLE VII OF THE BROWARD COUNTY CODE OF ORDINANCES; CREATING SECTION 28-100, PROVIDING FOR TITLE; CREATING SECTION 28-101, PROVIDING FOR DEFINITIONS; CREATING SECTION 28-102, PROVIDING FOR A LIVING WAGE; CREATING SECTION 28-103, PROVIDING FOR IMPLEMENTATION; CREATING SECTION 28-104, PROVIDING FOR COMPLIANCE AND ENFORCEMENT; CREATING SECTION 28-105, PROVIDING FOR THE CREATION, COMPOSITION, TERMS, DUTIES, AND ORGANIZATION OF THE LIVING WAGE ADVISORY BOARD, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Kristin D. Jacobs)

9 WHEREAS, public money should promote the creation of full-time, permanent jobs that allow our citizens to support themselves and their families with dignity while also benefitting our local economy; and

3 WHEREAS, the high costs of employee turnover negatively impacts county taxpayers and services provided to county residents as estimates regarding the actual costs of turnover range from 33 percent of the employee's base salary to as high as 250 percent of that salary; and

WHEREAS, in Broward County sub-poverty level wages do not serve a public purpose and negatively impact our economic growth as such wages cause taxpayers to underwrite the cost of food stamps, emergency medical services, housing, child care,

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1 energy assistance, and other social services that employees may require to support
2 themselves and their families; and

3 WHEREAS, when performing the County's work, certain private companies subject
4 to this ordinance should provide their employees and/or subcontracted employees nothing
5 less than a living wage set at 110 percent of the Federal Poverty Guideline. In addition, if
6 these named private companies fail to provide health benefits to County contracted and/or
7 subcontracted employees, additional dollars above the living wage should be provided to
8 those employees working for Broward taxpayers; and

9 WHEREAS, in addition to requiring living wages of private firms providing certain
10 County services, the County also wishes to set a community standard and serve as an
11 example by providing a living wage to Broward County employees that currently earn less
12 than 110 percent of the Federal Poverty Guideline, NOW, THEREFORE,

13 BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
14 COUNTY, FLORIDA:
15 (UNDERLINING OMITTED)

16 Section 1. Section 28-100 of Article VII of Chapter 28, Broward County Code of
17 Ordinances is hereby created to read as follows:

18 Sec. 28.100. Title.

19 Sections 28-100 through 28-104 of Article VII of Chapter 28, Broward County Code,
20 may be cited as the "Broward County Living Wage Ordinance."

21 Section 2. Section 28-101 of Article VII of Chapter 28, Broward County Code of
22 Ordinances is hereby created to read as follows:

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24 underlined type are additions.

1 **Sec. 26-101. Definitions.**

2 As used in this article, unless the context requires otherwise, indicates:

3 (a) *County* means the government of Broward County, its departments, divisions,
4 and boards.

5 (b) *Covered employee* means anyone employed by any service contractor for a
6 minimum of twenty (20) hours per week as an employee with or without benefits that is
7 involved in providing services pursuant to the service contractor's contract with the County,
8 or a County employee who is in a part-time or full-time benefit-eligible position, as provided
9 in Section 14.7, Broward County Administrative Code. Employees whose primary
10 compensation is composed of gratuities are not covered employees under this article.

11 (c) *Covered employer* means any and all service contractors and subcontractors
12 of service contractors.

13 (d) *Service contractor* means any for profit individual, business entity, corporation,
14 partnership, limited liability company, joint venture, or similar business that is conducting
15 business in Broward County and meets either of the following criteria:

16 (1) The service contractor is paid in whole from one or more of the County's
17 general fund, enterprise funds, capital project funds, or any other funds, either
18 directly or indirectly, whether by competitive bid, informal bid, request for
19 proposal, request for letters of interest, some form of solicitation, negotiation,
20 or agreement, or any other decision to enter into a contract; or

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1 (2) The service contractor is engaged in the business of, or part of, a contract or
2 a subcontract to provide covered services, either directly or indirectly, for the
3 benefit of the County.

4 (e) *Covered services* means the following services purchased by the County that
5 are subject to this article:

6 *County service contracts.* Contracts awarded by the County that involve a
7 total contract value that exceeds One Hundred Thousand Dollars
8 (\$100,000.00) per year for any of the following services:

- 9 a. food preparation and/or distribution;
10 b. security services;
11 c. routine maintenance services, such as custodial, cleaning, refuse
12 removal, repair, refinishing, and recycling;
13 d. clerical or other non-supervisory office work, whether temporary or
14 permanent;
15 e. transportation and parking services;
16 f. printing and reproduction services;
17 g. landscaping, lawn, and/or agricultural services.

18 **Section 3.** Section 26-102 of Article VII of Chapter 26 Broward County Code of
19 Ordinances is hereby created to read as follows:

20 **Sec. 26-102. Living Wage.**

21 (a) Living Wage Paid.

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24 underscored type are additions.