



Commission on Labor

Agenda

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA

Wednesday
May 18, 2016
7:00 p.m.

Preliminary Matters

1. Roll Call
2. Public Comments
The public may comment about any item not on the agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item.
3. Approval of March 16, 2015 Meeting minutes (Attachment 1)

Action Items

The Commission may take action related to any subject listed on the Agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item.

4. Status update on the efforts of the UC Workers coalition (Student Labor Committee & AFSCME 3299)
5. Subcommittee Status Updates:
 - 1) Minimum Wage Ordinance/Living Wage Ordinance
 - 2) Fair Chance Ordinance
 - 3) Family & Environmental Friendly Worktime Ordinance (aka Flexible Worktime Ordinance)
 - 4) Public Transportation Subcommittee
6. City-wide security contracts draft council report discussion on action taken at March 18, 2015 meeting:

M/S/C (Fillingim/Dixon) to recommend to City Council to direct City Manager to create security personnel in classified service to make security personnel city employees; also recommend that city should only contract with unionized companies.
7. Agenda planning for next regular meeting on July 20, 2016

Communications

8. Letter requesting the Commission on Labor to look into the City of Berkeley's outsourcing of parking fines & fees to entities outside of Berkeley. (Attachment 2)

Announcements

Adjournment

Please refrain from wearing scented products to this meeting.

COMMUNICATION ACCESS INFORMATION

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date.

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Written material may be viewed in advance of the meeting at the Housing & Community Services Department, 2180 Milvia, 2nd Floor, during regular business hours or at the Berkeley Public Library, Shattuck/Kittredge Streets, during regular library hours at the Reference Desk. The Commission Agenda and Minutes may be viewed on the City of Berkeley website:
<http://www.cityofberkeley.info/commissions>.

Secretary:

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Commission on Labor
Delfina Geiken, Secretary
2180 Milvia, 2nd Floor
Berkeley, CA 94704



Minutes

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA

Wednesday
March 16, 2016
7:00 p.m.

Preliminary Matters

1. Roll Call: meeting called to order @ 7:10pm
Present: W. Bloom, S. Frankel, A. Teter, S. Kessler,
Absent: J. Fillingim (arrived @ 7:20pm)
Leave of Absence: L. Sayre
Staff: N. Dahl, A. Davidson, D. Geiken
Members of the public: 4
2. Public Comments
The public may comment about any item not on the agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item.

None
3. Approval of December 16, 2015 Special Meeting minutes (attachment 1)

M/S/C (Frankel/Teter) to approve minutes as written
Ayes: W. Bloom, S. Frankel, A. Teter, S. Kessler,
Noes: None
Absent: J. Fillingim (arrived @ 7:20pm)
Leave of Absence: L. Sayre

Action Items

The Commission may take action related to any subject listed on the Agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item.

4. Elections: office of Vice-Chairperson and Chairperson
Chairperson nominee: Wendy Bloom
Ayes: W. Bloom, S. Frankel, A. Teter, S. Kessler,
Noes: None
Absent: J. Fillingim (arrived @ 7:20pm)
Leave of Absence: L. Sayre

Vice-Chairperson nominee: Sam Frankel
Ayes: W. Bloom, S. Frankel, A. Teter, S. Kessler,
Noes: None
Absent: J. Fillingim (arrived @ 7:20pm)
Leave of Absence: L. Sayre

5. Status update on the efforts of the UC Workers coalition (Student Labor Committee & AFSCME 3299)
No report and no action
6. Housing Trust Fund Guidelines Regarding Predevelopment Loans and Labor-request from the Housing Advisory Commission to provide input regarding their possible recommendations to City Council (attachment 2)

Speakers: 2

M/S/C (Teter/Frankel) to support the HAC HTF recommendation with the clarification of the applicability as recommended by staff in Section 6. Prevailing Wages.

Passed Unanimously

Leave of Absence: L. Sayre

7. Minimum Wage Ordinance/Living Wage Ordinance status updates:
 - 1) Revisions to the Minimum Wage Ordinance information from EDD regarding employer and workforce sizes (attachment 3)

Staff reported on current complaint activity and outreach plans for increase to \$12.53 in October 2016.
 - 2) Interpretation of current LWO regarding applicability of the LWO to contracts based on Not to Exceed amount of contract versus 12-month period of contract-information from staff (attachment 4)

M/S/C (Frankel/Teter) recommend to council in form of a letter clarifying the language that the Living Wage Ordinance requirement applies to community agencies that receive funding of \$100,000 or more per year.

Passed Unanimously

Leave of Absence: L. Sayre

8. Fair Chance Ordinance Subcommittee-discuss replacing Bob Dixon who has resigned from Commission.

Irene Yu is no longer on Commission therefore replacements for two vacancies is needed to continue the work of the subcommittee Chairperson Bloom appointed Sam Frankel & Steve Kessler to subcommittee.
9. Flexible Work time Ordinance Subcommittee report & discussion of "working" draft regarding Council referral to submit recommendations for a right-to-request ordinance pursuant to the Flexible Work Time Initiative, Measure Q, passed by Berkeley voters in the November 4 election (attachment 5)

M/S/C (Fillingim/Teter) to accept subcommittee recommendations including the draft report and formatting of the ordinance by staff.

Passed Unanimously

Leave of Absence: L. Sayre

10. Public Transportation Subcommittee report
No report or action at this time.
11. Equal Pay Council referral to staff and Commission on the Status of Women
No action at this time.
12. City-wide security contracts draft council report discussion
No action at this time.
13. Human Welfare and Community Action Commission Council Report-requesting input from commissions regarding "Commission Improvement Policy" (attachment 6)

Commission is taking no action on this matter.

14. Agenda planning for next regular meeting on May 18, 2016
Carry over items #5, 7, 8, 9, 10 and 12.

Information

15. Building & Construction Trades Career Fair on March 22, 2016 (attachment 7)

Announcements

None

Adjournment

Meeting adjourned at 9:25pm

Minutes Approved on _____

Delfina Geiken

Commission Secretary

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Secretary:

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May 2, 2016

City of Berkeley
Commission on Labor
Delfina Geiken, Secretary
2180 Milvia Street, 2nd. Floor
Berkeley, CA 94704

Dear Secretary Geiken:

I have sent the enclosed letter to Calvin Fong, Mayor Tom Bate's Chief of Staff. I hope the Commission on Labor will consider and take action on the issue of outsourcing raised in the first two paragraphs of the letter.

Perhaps the Commission could first request information on all work outsourced by the city, both that done by contractors in Berkeley (including what percentage of their employees live in Berkeley and what efforts they make to recruit and train Berkeley residents). A look at what work could be performed by city workers would be prudent.

Once the information is obtained about contractors outside Berkeley, an investigation can be pursued as to whether there are contractors within Berkeley who might be able to do the work.

Sincerely,



David C. Aroner
Retired member of SEIU, Local 535 (now part of SEIU. Local 1021)

May 2, 2016

Calvin Fong, Chief of Staff
Office of Mayor Tom Bates
2180 Milvia Street 5th Floor
Berkeley, CA 94704

Dear Mr. Fong:

I write to bring to your attention an issue that has concerned me for some time. I do not understand why parking fines and fees for Berkeley Fire Department ambulance fees are outsourced to Long Beach, California and Columbus, Ohio respectively. There may be other City of Berkeley collections outsourced of which I am unaware.

Ideally, these functions should be done by city employees unless there is no ability for the city workforce to do them. Next, I would hope that whatever City of Berkeley work must be outsourced, a serious attempt would be made to find Berkeley firms that might be able to do the work. The city should be interested in creating as many employment opportunities within Berkeley as possible. Only if there is no capacity on the part of city workers or Berkeley private contractors, who should be required to use due diligence in hiring Berkeley residents, should the city contract with employers outside the city.

On a different, but related subject to parking fines that is very disturbing, currently, if you receive a citation for an expired meter costing \$40.00 and you jump through all the hoops to successfully appeal the fine, you are charged an administrative fee of \$25.00 (this may be for the hearing officer's time or for a written appeal also)! In any event this is outrageous! It discourages appeals of unjust citations and if this policy were put on a city ballot, I'm sure it would be

repealed overwhelmingly. Perhaps the City Council could just change the policy. Can you bring this to their attention or do I have to write to all of them?

Best,

David C. Aroner