City of Seattle
Office of Labor Standards

HISTORY AND PROGRESS IN THE MAKING
Our mission is to advance labor standards through thoughtful community and business engagement, strategic enforcement and innovative policy development, with a commitment to race and social justice.
Labor Standards Enforcement

Minimum Wage Ordinance
Wage Theft Ordinance
Paid Sick and Safe Time Ordinance
Fair Chance Employment Ordinance
Secure Scheduling Ordinance
Hotel Employees Health and Safety Initiative Ordinance
Business.laborstandards@seattle.gov
❖ Darius Foster, Business Liaison
❖ Kerem Levitas, Business Liaison
❖ Jenee Jahn, Policy Analyst
❖ Karina Bull, Policy Manager

Workers.laborstandards@seattle.gov
❖ Claudia Alexandra Paras, Community Liaison
# OLS HISTORY

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td><strong>First Labor Standard in Seattle</strong></td>
</tr>
<tr>
<td></td>
<td>Paid Sick and Safe Time Ordinance goes into effect</td>
</tr>
<tr>
<td>2013</td>
<td>Fair Chance Employment Ordinance</td>
</tr>
<tr>
<td>2014</td>
<td>Mayor convened Income Inequality Advisory Committee to craft minimum wage policies</td>
</tr>
<tr>
<td></td>
<td>Mayor and City Council convened Labor Standards Advisory Group to address wage theft and to suggest ways to strengthen labor standards implementation</td>
</tr>
<tr>
<td></td>
<td>City Council passed legislation creating Office of Labor Standards as a new division within the Seattle Office for Civil Rights</td>
</tr>
<tr>
<td>April 1, 2015</td>
<td><strong>OLS is established as a new division within OCR</strong></td>
</tr>
<tr>
<td></td>
<td>Minimum Wage and Wage Theft Ordinances go into effect</td>
</tr>
<tr>
<td>2016</td>
<td>Wage Theft Prevention and Labor Standards Harmonization Ordinance goes into effect</td>
</tr>
<tr>
<td></td>
<td>Hotel Employees Health and Safety Initiative passed</td>
</tr>
<tr>
<td>2017</td>
<td><strong>OLS is an independent office!!</strong></td>
</tr>
<tr>
<td></td>
<td>Secure Scheduling Ordinance</td>
</tr>
</tbody>
</table>
2015 HIGHLIGHTS

▪ April: OLS established as separate division within OCR
▪ April: **Minimum Wage Ordinance** goes into effect
▪ April: **Wage Theft Ordinance** goes into effect
▪ June: OLS’s first Director begins
▪ July & September: OLS issued RFP for first $1 million (1 year) and announces recipients of Community Outreach and Education Fund
▪ July – December: OLS undertakes intensive stakeholder engagement process culminating in City Council passing **Wage Theft Prevention and Harmonization Ordinance** in December
  ▪ Expanded remedies and protections for workers
    ▪ Treble damages
    ▪ Tiered penalty structure
    ▪ Retaliation Protections
    ▪ Confidentiality Protections
2016 HIGHLIGHTS

- January: Wage Theft Prevention and Labor Standards Harmonization Ordinance goes into effect
- March – September: OLS, Executive, and City Council engage in 6 month collaborative stakeholder process to develop Secure Scheduling legislation, which City Council passes in September, making Seattle the second major City to have such legislation
- September: OLS announces recipients of first $475k Business Outreach and Education Fund
- November: Voters pass legislation for Hotel Employees Health and Safety Initiative
December 29, 2017

Dear Friends,

As I write this, the Seattle Office of Labor Standards is bigger, stronger, and more strategic than ever. We are now responsible for implementing six labor laws. And we are excited to move into 2018 under the leadership of Mayor Jenny A. Durkan.

Before we enter the new year, I wanted to spend time reflecting on some highlights of our incredibly full (and fun) 2017.

In January, OLS officially became an independent stand-alone department in the Executive, and I officially became its Director. We entered 2017 with double the budget from the previous year and with the opportunity and challenge of hiring 13 new staff.

In February, we announced the recipients of our $5.2 million Community Outreach and Education Fund, including seven organizations and community partnerships (totaling 21 organizations), for two-year contract cycles. In the first three quarters of work, they reached over 36,000 workers through 616 outreach activities, 247 trainings, and 613 intake of workers with potential labor standards violations. From the data collected, 85% of the workers reached are workers of color, 64% have a primary language other than English, 65% were born in a country other than the United States, 11% are homeless or unstably housed, 6% are transgender or gender non-conforming, and 23% are LGBQ.

In April, we announced rules for the newly passed Secure Scheduling Ordinance. Those rules were the result of an intensive five-month collaborative rulemaking process gathering feedback from worker and business stakeholders through nine formal meetings and numerous ad hoc meetings and consultations.

In May, we moved into our new home, suite 375 in downtown Seattle's Central Building following a concentrated design and planning process, during which my team worked temporarily out of an interim location. We love our new home!

In July, our historic Secure Scheduling ordinance went into effect, giving Seattle workers at large food and retail establishments predictable work schedules and access to hours. We have since provided 11 webinars (and counting) for several hundred of participants (with another on the way on January 24), and we have answered over 450 individualized compliance assistance questions from employers on this new law. We also started enforcing the ordinance on day one.

In August, we reached the proud milestone of having assisted $1 million in remediation for almost 2,000 Seattle workers under Seattle's labor standards. This number represented the closure of more than 290 investigations, including those where OLS successfully negotiated settlement agreements with businesses that wanted to get into compliance once they realized they had
2017 HIGHLIGHTS

- January: OLS became a stand-alone Department in the Executive
- February: OLS announced recipients of our **2-year $3.2 million Community Outreach and Education Fund**, including 7 organizations and community partnerships (21 orgs total)
  - In the first three quarters of work:
    - Partners reached over **36,000 workers** through 616 outreach activities, 247 trainings, and 613 intakes of workers with potential labor standards violations.
    - **85% of the workers reached were workers of color**, 64% had a primary language other than English, 65% were born in a country other than the United States, 11% were homeless or unstably housed, 6% were transgender or gender non-conforming, and 23% were LGBQ.
2017 HIGHLIGHTS

- April: OLS announced rules for the newly passed Secure Scheduling Ordinance following a five-month collaborative rule-making process with worker and business stakeholders.

- May: OLS moved into our new home in Suite 375 in the Central Building following a concentrated design and planning process.

- July: Seattle’s historic Secure Scheduling ordinance went into effect, giving Seattle workers at large food and retail establishments predictable work schedules and access to hours.
  - OLS has provided 18 webinars to date, and answered over 400 compliance assistance questions from employers. We started enforcing on day one.

- August: OLS reached the milestone of having assessed $1 million in remedies for almost 2,000 Seattle workers via 200 closed investigations.
2017 HIGHLIGHTS

- September: OLS issued final **new rules for the Minimum Wage Ordinance**. Included ending the authorization for special certificates for individuals with disabilities in the City of Seattle, which had allowed for individuals with disabilities to be paid less than the minimum wage.

- October: OLS announced a request for proposals for a two-year $1.4 million **Business Outreach and Education Fund**.

- October: OLS announced revisions to **Chapter 140 rules** that govern our enforcement process, which included a new employee appeal process and faster response times.

- We also implemented new enforcement priorities and procedures to address our increase in caseloads, enable us to be more strategic, and make the process more clear to provide better outcomes for both Seattle workers.

- November: OLS announced our **Directed Investigation Program**, whereby we can launch strategic investigations without receiving a complaint.
November: OLS also announced the proposed 2017 Labor Standards ordinance amending the Paid Sick and Safe Time ordinance to incorporate the more generous provisions of voter-passed, Washington Initiative 1433 establishing statewide paid sick leave.

PSST amendments voted on by City Council and signed by Mayor Durkan in December and went into effect on January 14, 2018.

OLS developed a new case management system

We also created several new outreach materials, including:

- Our Commitment to Immigrants and Refugees
- Employer Guide to Labor Standards Investigations
- Employer Guide to Recordkeeping
- How OLS Analyzes Worker Classification
- 2018 Workplace Poster
OLS Staff
OLS STAFF HISTORY

■ 2017 – Independent Office
  ▪ Grew from 10 to 23 FTEs (12 new staff hired in 2017)
  ▪ Director; Policy Manager; Finance & HR Manager; Communications Manager; 2 Business Liaisons; Community Liaison; Investigator Supervisor; Strategic Enforcement Manager; Executive Assistant; Admin Assistant/Receptionist; Paralegal; 10 Investigators
  ▪ 4 staff using city’s paid parental leave

■ 2016
  ▪ 10 FTEs (shared others with OCR)
  ▪ Director; Senior Policy Analyst; Business Liaison; Community Liaison; Investigator Supervisor; Paralegal; 4 Investigators

■ 2015 – New Division in OCR
  ▪ 7 FTES (shared others with OCR)
  ▪ Director; Senior Policy Analyst; Business Liaison; Community Liaison; 4 Investigators
Employer Compliance Assistance
- December – 211
- 2017 – 1,326
- Since Implementation – 7,078

Employee Inquiries
- December – 99
- 2017 – 1,023
- Since Implementation – 3,196
PERFORMANCE DATA – ALL ORDINANCES

- Investigations Opened
  - 2017 – 95
  - Since Implementation – 576

- Investigations Closed
  - 2017 – 116
  - Since Implementation – 413

- Average # of Days to Close
  - December – 377
  - 2017 – 336
  - Since Implementation – 210

**OLS conducts company-wide investigations**
PERFORMANCE DATA – ALL ORDINANCES

Percentage of Cases Closed within 180 days, 365 days & 366+ days

- >180 Days: 53.77%
- 181-365 Days: 31.34%
- 366+ Days: 15.09%

Number of Closed Cases
Monetary Remedies
- 2017 - $504,905
- Since Implementation – $1,298,805

# of Workers Receiving Remedies
- 2017 – 1,539 workers
- Since Implementation – 2,562 workers
SEATTLE

❖ **Agency** - Office of Labor Standards
❖ **2018 Budget** – $5,698,216 (– $2.3 million for outreach contracts = $3,398,216)
❖ **Staff** – 23 employees

- Director
- Policy Manager
- Communications Manager
- HR/Finance Manager
- Enforcement Manager
- Enforcement Supervisor
- 10 Investigators

- Policy Analyst
- 2 Business Liaisons
- Community Liaison
- Paralegal
- 2 Admin. Professionals
SAN FRANCISCO

❖ **Agency** - Office of Labor Standards Enforcement
❖ **Budget** - $5,563,136 ( - $835,000 for outreach contracts and $550,000 for payroll and compliance tracking functions = $4,178,136
❖ **Staff** – 25 employees

- Director
- Deputy Director
- Administrative Professional
- 2 Analysts
- 20 Investigators (15 – labor standards; 5 – prevailing wage)

Investigations – SF’s Minimum Wage ordinance has 365 day target for closure – 86% of cases closed within 365 days in FY 2017
LABOR STANDARDS IMPLEMENTATION AT LOCAL LEVEL

- Reduction of funding at federal level
- DOL’s removing of administrative guidance
- Increased vulnerability of vulnerable communities
- Seattle as Model – Laws, Enforcement, Business Support, Community Support
  - Technical assistance to over 30 jurisdictions
  - Visits from/to other jurisdictions
  - Participation in national policy conversations (e.g. Center for Law and Social Policy)
2018
Onward and Upward!

seattle.gov/laborstandards
laborstandards@seattle.gov
206-256-5297