

St. Louis City Ordinance 65045

The purpose of this ordinance is to improve the lives of working people and their families by requiring employers that contract with the City or which receive financial assistance from the City for economic development or job growth to pay their employees a wage sufficient to meet basic subsistence needs and that they utilize St. Louis residents to the extent possible.

SECTION TWO. Applicability

(A) This ordinance applies to any individual, proprietorship, partnership, corporation, trust, association or other entity, which is a contractor or a grantee, defined as follows:

(i) A contractor is a party to a contract with the City of St. Louis primarily for the furnishing of services (as opposed to the purchasing or leasing of goods or property), where the total expenditure for such contract exceeds \$50,000, including any subcontractor of such contractor.

(ii) A grantee is the recipient of any financial assistance from the City in excess of \$100,000.00, including any federal grant program administered by the city, tax increment financing, revenue bond financing, tax abatements, tax credits, grants, loans or any other form of assistance if the primary purpose of the assistance is economic development or job growth, including contractors, subcontractors or leaseholders at the subsidized sites.

(B) The minimum wage requirements of this ordinance shall apply with respect to any employee of a contractor or grantee who is employed either part-time or full time at a job site covered in whole or in part by the contract, or to any employee of a grantee who is employed either part-

time or full time at any job site covered or subsidized in whole or in part by the grant of financial assistance.

SECTION THREE. Minimum Requirements

(A) Each contractor and grantee shall pay its employees wages which are at least equal to a living wage as defined in this ordinance.

(B) A living wage means an hourly wage rate which on an annual basis (based on forty hour per week, fifty two weeks per year) is equivalent to 130% of the federal poverty guidelines for a family of three, updated annually in the Federal Register by the U.S. Department of Health and Human Services, if health benefits are provided. Health benefits, for the purpose of this ordinance, mean fully paid comprehensive family medical coverage.

(C) If health benefits are not provided, each contractor and grantee shall pay its employees the equivalent of the living wage for employees with health benefits, defined in (b) above, plus the hourly rate defined for City workers covered under the city's prevailing wage law, chapter 6.20 of the revised code of the city of St. Louis, currently \$1.39, as adjusted.

(D) The City shall adjust the living wage rate annually no later than April 1 to incorporate changes in the federal poverty guidelines. The City shall publish a bulletin announcing any change in the amount of the living wage and shall inform each contractor and grantee of such changes in writing prior to such adjustment becoming effective.

(E) To the greatest extent feasible, a covered contractor or grantee shall attempt to fill all new positions created as a result of a contract or financial assistance with employees who are residents to the City of St. Louis. The foregoing shall not be interpreted as a residency requirement, nor shall it cause any contractor or grantee to terminate, transfer, or lay off any employee who is on the payroll at

the time of coverage under this ordinance becomes effective for that contractor or grantee.

SECTION 4. ENFORCEMENT AND PENALTIES

The provisions of this Ordinance will augment the City's normal and customary procedure for administering its contracts. The City shall administer the requirements of this Ordinance as follows:

(A) The City shall develop roles and regulations for the monitoring of the operations of the contractors and grantees, their subcontractors and lessees, to insure compliance including the process for regular review of payroll records and investigation and resolution of specific concerns or complaints about the employment practices of contractors and grantees, their subcontractors and lessees relative to this Ordinance. Such regulations will be subject to a public hearing and approval by the Board of Aldermen before adoption.

(B) Where a violation of any provision of this Ordinance has been determined, the contractor will be given a written notice by the City per the rules and regulations promulgated by the City. Should the violation continue and/or no resolution is imminent, the City, shall pursue all available legal remedies, including but not limited to the following penalties and relief:

(i) Suspension and/or termination of the contract, subcontract or financial assistance agreement for cause;

(ii) Payback of any or all of the contract or financial assistance awarded by the City of St. Louis;

(iii) Deem the contractor or grantee ineligible for future City contracts and/or financial assistance until all penalties and restitution have been paid in full;

(iv) Fines payable to the City of St. Louis in the sum of \$500 for each week for each employee found not to have been paid in accordance with this Ordinance;

(v) Wage restitution for each affected employee.

(C) City rules and regulations shall reflect that a person affected by a violation of this ordinance any file a complaint with the City, which will have ninety (90) days to investigate and remedy the complaint. If the complaint is not resolved to the complainant's satisfaction within the 90 day period then complainant or his or her representative may bring an action in the St. Louis Circuit Court to enforce this ordinance. The court shall award reasonable attorneys fees and cost to a person who prevails in an enforcement action. This ordinance shall not be constructed to limit an employees right to bring legal action for violation of any other minimum wage compensation or wage and hour law.

(D) Every contractor or grantee shall post in a conspicuous place on any job site subject to this ordinance a copy of the minimum living wage rate required under this ordinance. The City shall notify contractors and grantees of the minimum living wage rate, and any adjustments thereto, within a reasonable period before they become effective.

SECTION 5. SEVERABILITY.

If any portion or provision of this ordinance is declared invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This ordinance shall apply to any contract entered into and any financial assistance granted or renewed after the effective date of this ordinance. Entering into an agreement for extension of a contract for a period beyond its original term shall be considered entering into a contract for purposes of this paragraph.

Legislative History

1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
ORDINANCE	VETOED		VETO OVR	
65045				