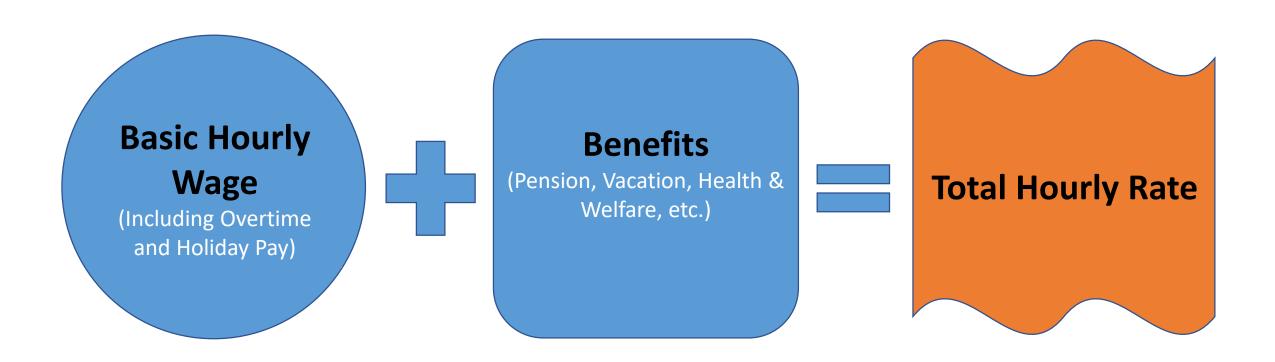


## Labor and Employment Code Article 102 (Chapter 21C)

**Miscellaneous Prevailing Wages** 

## What is prevailing wage?



# San Francisco Labor and Employment Code (L.E.C.) Article 102 (Chapter 21C)

- Establishes 10 prevailing wage classifications
  - Not recognized by the California Department of Industrial Relations (DIR)
  - Not public works
  - Non-construction related
- Applies to San Francisco service contracts, leases, management agreements, and permits
- Applies to work performed at any facility or property owned or leased by the City

### **10 Categories of Work Under** L.E.C. Article 102

- Motor Bus Services (L.E.C. Art 102.7)
   Moving Services (L.E.C. Art 102.6) 1999
- Janitorial Services (L.E.C. Art 102.2) 1999
- Trade Show/Special Event Work (L.E.C. Art 102.8) 2014

- Work at Parking Lots and Garages (L.E.C. Art 102.3) 2003
- Broadcast Services (L.E.C. Art 102.9) 2016
- Theatrical Services (L.E.C. Art 102.4) 2004
- Loading/Unloading (L.E.C. Art 102.10) 2016

 Solid Waste Hauling (L.E.C. Art 102.5) 2006

 Security Guard Services (L.E.C. Art 102.11) 2016

**Office of Labor Standards Enforcement** 

## How To Access Prevailing Wage Determinations

https://sfgov.org/olse/prevailing-wage-non-construction

#### **Prevailing Wage - Non-Construction**

Chapter 21C of the San Francisco Administrative Code requires that prevailing wage rates be paid for the types of work and workers below. The San Francisco Board of Supervisors sets the rates for these crafts and classifications each year by a Prevailing Wage Resolution, effective this year on December 18, 2020. For prevailing wage rates in effect prior to this date, contact OLSE.

Administrative Code Sec 21C.1	Motorbus Services Contracts	For Current Prevailing Wages, see:  • Motorbus Prevailing Wage Rates
Administrative Code Sec. 21C.2	Janitorial Services (Includes Window Cleaning Services)	For Current Prevailing Wages, see:  • Janitor Prevailing Wage Rates  • Janitorial Window Cleaner Prevailing Wage Rates



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#### **Prevailing Wage - Non-Construction**

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Administrative Code Sec 21C.1	Motorbus Services Contracts	For Current Prevailing Wages, see:  • Motorbus Prevailing Wage Rates	
Administrative Code Sec. 21C.2	Janitorial Services (Includes Window Cleaning Services)	For Current Prevailing Wages, see:  • Janitor Prevailing Wage Rates  • Janitorial Window Cleaner  Prevailing Wage Rates	Janitor Rates  Window Cleaner Rates



#### Admin Code 21C.2 Janitorial Services

This chart is submitted to show the prevailing hourly wage and fringe benefits for individuals performing janitorial maintenance and cleaning services. Effective December 18, 2020.

					EM	PLOYE	R PAYI	ΛEΝ	TS					STRA	IGHT-TIME		OVERTIME			
Hours worked for the employer		Н	ourl	y Rate	Health	and W	Pe	nsion	١	/acat	ion		Hours	Total Hourly Rate		•	1.5 X		2x	
0-3900	A, B, C \$ 17.29		D \$ 6.81		\$	2.48	Е	\$	0.67	F	7.50	\$27.25	G	\$	35.90	\$	44.54			
3901-4850	A, B,	С	\$	19.42	D	\$	6.81	\$	\$ 2.48		\$	0.75	F	7.50	\$29.46	G	\$	39.17	\$	48.88
Over 4850	A, B,	С	\$	21.80	D	\$	9.00	\$	2.48	F	\$	0.84	F	7.50	\$34.12	G	\$	45.02	\$	55.92

#### Footnotes:

- A. There shall be a \$0.50 per hour premium for employees performing utility work. Utility work is defined as carpet and rug cleaning including wet whampooing, dry cleaning, dry foam shampooing, steam shampooing, rider operated power sweeper, rider operated scrubber, floor machines and power washers.
- B. Full-time, fully dedicated restroom attendants will be paid an additional \$0.30 per hour.
- C. Holidays. Observed holidays are New Year's Day, Martin Luther King Day, President's Day, Day After Thanksgiving, Memorial Day, Thanksgiving Day, Independence Day, Christmas Day, Labor Day, Employee's Birthday. Employees who have the holiday off shall be paid at straight time for 7.5 hours. Any employee working on a holiday shall be paid the 1.5X overtime rate.
- D. Health and Welfare payments are \$6.81/hour, capped at \$1,105.95/month for employees hired on or after August 1, 2012. Health and Welfare rates are \$8.66/hour, capped at \$1,409.15/month for employees hired prior to August 1, 2012. Employees hired after August 1, 2012 are eligible for health care fringes if they were paid for 105 straight-time hours in the prior month. New employees working at least 105 hours in 2 consecutive months are eligible for contributions in the 3rd month. Note that if Health and Welfare payments are not required, other San Francisco benefit requirements, such as the Health Care Security Ordinance may still apply.
- E. Vacation payments are not required for employees with less than 1 year of employment. The rate of \$0.67 applies between 1 year of employment and 3900 hours of employment.
- F. The rate of \$0.84 shown in the table applies between 4850 hours of employment and 5 years of employment. After 5 years of employment, the vacation rate is \$1.26. After 12 years of employment, the vacation rate is \$1.68.
- G. Overtime. 1.5X Overtime is due after 7.5 hours in a day or 37.5 hours in a workweek, 2X Overtime is due after 12 hours in a day. Overtime Calculation: 1.5X overtime rates = (1.5\*basic hourly rate) + (Health & Welfare + Pension + Vacation). 2X overtime rates = (2\*basic hourly rate) + (Health & Welfare + Pension + Vacation).



Basic Hourly Rate + Fringe Benefits = Total Hourly Rate

#### Admin Code 21C.2 - Janitorial Services

This chart is submitted to show the prevailing hourly wage and fringe tenefits for individuals performing janitorial main enance and cleaning services. Effective December 18, 2020.

						EN	IPLOYE	R PAY	ΛEΝ	ть					STRA	IGHT-TIME	OVERTIME					
Hours worked for the employer		Basic Hourly Rate				Health	n and W	elfare	Pe	nsion	١	/aca	tion		Hours	Total Hourly Rate			1.5 X		2x	
0-3900	A,	B, C	;	\$	17.29	D	\$	6.81	\$	2.48	Е	\$	0.67	F	7.50	\$27.25	G	\$	35.90	\$	44.54	
3901-4850	A,	B, C	; ;	\$	19.42	D	\$	6.81	\$	2.48		\$	0.75	F	7.50	\$29.46	G	\$	39.17	\$	48.88	
Over 4850	A,	B, C	; ;	\$	21.80	D	\$	9.00	\$	2.48	F	\$	0.84	F	7.50	\$34.12	G	\$	45.02	\$	55.92	

#### Footnotes:

- A. There shall be a \$0.50 per hour premium for employees performing utility work. Utility work is defined as carpet and rug cleaning including wet whampooing, dry cleaning, dry foam shampooing, steam shampooing, rider operated power sweeper, rider operated scrubber, floor machines and power washers.
- B. Full-time, fully dedicated restroom attendants will be paid an additional \$0.30 per hour.
- C. Holidays. Observed holidays are New Year's Day, Martin Luther King Day, President's Day, Day After Thanksgiving, Memorial Day, Thanksgiving Day, Independence Day, Christmas Day, Labor Day, Employee's Birthday. Employees who have the holiday off shall be paid at straight time for 7.5 hours. Any employee working on a holiday shall be paid the 1.5X overtime rate.
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#### **Employment Duration**

#### Admin Code 21C.2 - Janitorial Services

This chart is submitted to show the prevailing hourly wage and fringe benefits for individuals performing janitorial maintenance and cleaning services. Effective December 18, 2020.

						EM	PLOYE	R PAY	ΛEΝ	TS					STRA	IGHT-TIME		OVERTIME					
Hours worked for the employer		Basic Hourly Rate				Health	and W	Pe	ension	١	/aca	tion		Hours	Total Hourly Rate		1	1.5 X		2x			
0-3900	A,	A, B, C \$ 17.29		17.29	D \$ 6.81		\$	2.48	Е	\$	\$ 0.67		7.50	\$27.25	G	\$	35.90	\$	44.54				
3901-4850	Α,	В,	С	\$	19.42	D	\$	6.81	\$	2.48		\$	0.75	F	7.50	\$29.46	G	\$	39.17	\$	48.88		
Over 4850	Α,	В,	С	\$	21.80	80 D \$ 9.00 \$			\$	2.48	F	\$	0.84	H	7.50	\$34.12	G	\$	45.02	\$	55.92		

#### Footnotes:

- A. There shall be a \$0.50 per hour premium for employees performing utility work. Utility work is defined as carpet and rug cleaning including wet whampooing, dry cleaning, dry foam shampooing, steam shampooing, rider operated power sweeper, rider operated scrubber, floor machines and power washers.
- B. Full-time, fully dedicated restroom attendants will be paid an additional \$0.30 per hour.
- C. Holidays. Observed holidays are New Year's Day, Martin Luther King Day, President's Day, Day After Thanksgiving, Memorial Day, Thanksgiving Day, Independence Day, Christmas Day, Labor Day, Employee's Birthday. Employees who have the holiday off shall be paid at straight time for 7.5 hours. Any employee working on a holiday shall be paid the 1.5X overtime rate.
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- G. Overtime. 1.5X Overtime is due after 7.5 hours in a day or 37.5 hours in a workweek, 2X Overtime is due after 12 hours in a day. Overtime Calculation: 1.5X overtime rates = (1.5\*basic hourly rate) + (Health & Welfare + Pension + Vacation). 2X overtime rates = (2\*basic hourly rate) + (Health & Welfare + Pension + Vacation).



#### Admin Code 21C.2 - Janitorial Services

This chart is submitted to show the prevailing hourly wage and fringe benefits for individuals performing janitorial maintenance and cleaning services. Effective December 18, 2020.

						ЕМІ	PLOYE	R PAY	ΛEΝ	TS					STRA	IGHT-TIME		OVERTIME				
Hours worked for the employer		Basic Hourly Rate				Health	and W	Pe	nsion	Vacation				Hours	Total Hourly Rate		1	.5 X		2x		
0-3900	A, B, C \$ 17.29		'.29 D		\$ 6.81		2.48	Е	\$	0.67	F	7.50	\$27.25	G	\$	35.90	\$	44.54				
3901-4850	Α,	В	, C	\$	19.42	D	\$	6.81	\$	2.48		\$	0.75	F	7.50	\$29.46	G	\$	39.17	\$	48.88	
Over 4850	A, B, C \$ 21.80 D \$ 9.00			9.00	\$	2.48	F	\$	0.84	F	7.50	\$34.12	G	\$	45.02	\$	55.92					

#### Footnotes

A. There shall be a \$0.50 per hour premium for employees performing utility work. Utility work is defined as carpet and rug cleaning including wet whampooing, dry cleaning, dry foam shampooing, steam shampooing, rider operated power sweeper, rider operated scrubber, floor machines and

B. Full-time, fully dedicated restroom attendants will be paid an additional \$0.30 per hour. 1.5x OT rate after 7.5 hours of work

C. Holidays. Observed holidays are New Year's Day, Martin Luther King Day, President's Day, Day After Thanksgiving, Memorial Day, Thanksgiving Day, Independence Day, Christmas Day, Labor Day, Employee's Birthday. Employees who have the holiday off shall be paid at straight time for 7.5 hours. Any employee working on a holiday shall be paid the 1.5X overtime rate.

## D. Health and Welfare payments are \$6.81/hour, capped at \$1,105.95/month for employees hired on or after August 1, 2012. Health and Welfare rates are \$8.66/hour, capped at \$1,409.15/month for employees hired prior to August 1, 2012. Employees hired after August 1, 2012 are eligible for health care fringes if they were paid for 105 straight-time hours in the prior month. New employees working at least 105 hours in 2 consecutive months are eligible for contributions in the 3rd month. Note that if Health and Welfare payments are not required, other San Francisco benefit requirements, such as the Health Care Security Ordinance may still apply.

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San Francisco Administrative Code Section 21C.11 Security Employees

This chart is submitted as the prevailing hourly wage rate and fringe benefits required for Security Guard Services at any facility or any property owned or leased by the City. Effective December 18, 2020.

**Employment** Duration

			E	MPLOYER PAYME	NTS		STR	AIGH	T-TIME	D	OVERTIME H	OURLY RAT	Έ
Classification	Α	Basic Hourly Rate	B (Va	alth & Welfare aries. Shown with aployee only).	C Show	ion (Varies. n at 5 years for rity Officer 4)	Hours	Tota	al Hourly Rate		1.5 X	2 X	
Security Officer 1 start			\$	3.66	\$	_	8	\$	20.36	\$	28.71	\$	37.06
1.1.2021 or after	\$	16.70	Ψ	0.00	Ψ		Ů	Ÿ	20.00	•	20.71	•	07.00
Security Officer 2 start			•	3.66	•	0.32	8	•	20.63	•	28.96	\$	37.28
1.1.2020 or after	\$	16.65	φ	3.00	φ	0.32	0	Ф	20.03	Ą	20.90	<b>a</b>	37.20
Security Officer 3 start			9	3.66	\$	0.32	8	•	20.68	6	29.03	•	37.38
1.1.2019 or after	\$	16.70	φ	3.00	Ą	0.32	0	Ф	20.00	Ф	29.03	\$	37.36
Security Officer 4 start	4	16.85	4	3.66	\$	0.65	8	•	21.16	•	29.59	\$	38.01
1.1.2018 or after	φ	10.05	φ	3.00	Ф	0.03	0	φ	21.10	9	29.39	<b>J</b>	36.01
Security Officer 5 start	¢	17.05	4	3.66	e	0.66	8	•	21.37	¢	29.90	¢	38.42
late 12.31.2017 or prior	Φ	17.05	φ	3.00	φ	0.00	0	φ	21.37	Φ	29.90	Ψ	30.42

#### Footnotes

A. Security Officer progression rates depends on start date. No work peformed on a named holiday is paid at straight time. Worked performed on a named holiday is paid at 1.5 times the basic hourly rate. Work performed on a named holiday in excess of 8 hours will be paid at 2 time the basic hourly rate. The named holidays are New Year's Day, July 4th, Martin Luther King, Jr. Day, Labor Day, President's Day, Thanksgiving Day, Memorial Day, Christmas Day.

B. Health and Welfare Rates are subject to change. Single employee contributions begin at 90 days of service; dependent benefits begin with 3 years. Required hourly rates: employee only \$3.66, capped at \$632.51 monthly; employee + 1 Dependent = \$6.62, capped at \$1,145.27 monthly; employee + 2 or more Dependents = \$9.54, capped at \$1,649.56 monthly. "Dependent" means dependent as defined in the Internal Revenue Code (26 U.S.C. sec. 152).

C. Upon completion of 1 year of continuous service and 1600 hours, vacation is paid at >1, 3, 6, and 15 year rates. Partial rates - defined as 50% of the full rate - are for 6 months or more continuous service and 800 hours in a year.

Vacation Values	> 1 year		3+ Years		6+ Years	15	+ Years
Security Officer 1	\$ -	\$	-	\$	-	\$	-
Security Officer 2	\$ -	\$		\$	-	\$	
Security Officer 3	\$ -	\$		\$	-	\$	
Security Officer 4	\$ 0.32	\$	0.65	\$	0.97	\$	1.30
Security Officer 5	\$ 0.33	\$	0.66	\$	0.98	\$	1.31



Admin Code 21C.4 Theatrical Workers

Scope of Work

This chart is submitted to show the prevailing hourly wage and fringe benefits for workers engaged in theatrical or technical services related to the presentation of a show, including, but not limited to, workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, motion picture services, ground cover for arena and stadium events including terraplast, plywood, tarps or any other cover that may be developed in the future, theater maintenance, construction and assembly of scenery and stages, properties, stage lighting, room lighting and associated electrical work, generator set up and operation, power distribution video, ENG and studio production, sound, laser, electronic recording, graphics presentation, and projection. Effective December 18, 2020.

					EMPLO	YE	R PAYMENT	rs				STE	RAIG	нт-т	IME			OVE	RTIM	E
CLASSIFCIATION (JOURNEY LEVEL)	Basic H	lourl	y Rate		ealth & Velfare		Pension		Vacation	T	raining	Hour	S		l Hourly Rate		1.5	iχ		2X
General AV and C3 computer technicians for breakout rooms - Extra help for events or theme parties without entertainment (not including traditional stage crafts).	A, B, C	\$	40.93	\$	6.85	\$	6.19	\$	3.27	\$	0.88	D, E	8	\$	58.12	F	\$	78.59	G	\$ 99.05
Multi-source and C2 computer technicians for breakout rooms and events or theme parties without entertainment.	A, B, C	\$	48.51	\$	8.12	\$	7.33	\$	3.88	\$	1.05	D, E	8	\$	68.89	F	\$	93.15	G	\$ 117.40
Traditional Stage Crafts: (Carpenters/ Electrics/Props/A2) - Extra help for general sessions, plenary sessions, key note addresses, theme parties with entertainment. Extra help for commercial, industrial and product demonstration show and events with entertainment. Camera set up and tear down, including Video utilities.	A, B, C	\$	52.19	\$	8.74	\$	7.89	\$	6 4.18	\$	1.13	D, E	8	\$	74.13	F	\$ 1	00.23	G	\$ 126.32
ETCP Certified Rigger and Electrician	A, B, C	\$	60.28	\$	10.09	\$	9.11	\$	4.82	\$	1.30	D, E	8	\$	85.60	F	\$ 1	15.74	G	\$ 145.88
Show Call Rates - Commercial, Industrial and Prod "Show call" means a period of 3 consecutive hours or I applicable hourly rate shall be paid for each additional	ss, used	by t	he Emp	oloyer				ns (	of products or	ent	ertainment	. If the pe	erfor	mance	e runs mo	ore t	han	3 hours	s, the	)
Extra help for general sessions, plenary sessions, key note addresses, theme parties with entertainment and events with entertainment, three (3) hour maximum under commercial, industrial conditions else, four (4) hour maximum.	A, B, C	\$ 2	224.20	\$	37.53	\$	33.90	\$	5 17.94	65	4.84		8	64	318.41	F	\$ 4	30.51	G	\$ 542.61
Spot light operators, camera operators per show call, three (3) hour maximum under commercial, industrial conditions else, four (4) hour maximum.	A, B, C	\$ 2	242.89	\$	40.66	\$	36.72	\$	3 19.43	\$	5.25		8	\$	344.95	F	\$ 4	66.40	G	\$ 587.84



### L.E.C. Art 102.1 (21C.7) – Worker Retention



OLSE does not enforce this provision. Individuals can bring legal action to superior court.

- Ordinance effective date: 1/24/2012
- Who is covered? Previous contractor's employees
- Requirements:
  - Provide employee information
  - Retain employee for a six-month transition employment period
  - If employee's performance during the sixmonth period is satisfactory, then successor contractor shall offer continued employment to employee



### L.E.C. Art 102.2 (21C.2) – Janitorial Services

Date prevailing wage rate was established: 1/16/2004



- Current total hourly rate including fringes (for >4,850 hours): \$34.12 per hour
- Health and welfare contribution is \$9.00 per hour when employee worked for employer for at least three months and a minimum 105 hours in previous month
- Working more than 7.5 hours a day will be subject to overtime
- Exemptions apply

### L.E.C. Art 102.2 (21C.2)— Window Cleaners

Date prevailing wage rate was established: 12/13/2007



- Current total hourly rate including fringes (for Base trainee with more than 2,925 hours) is \$39.48 per hour
- Health and welfare contribution is \$9.27 per hour when employee worked for employer for at least 975 hours and a minimum of 75 hours in previous month
- Working more than 7.5 hours a day will be subject to overtime
- Exemptions apply

# L.E.C. Art 102.3 (21C.3) – Work in Parking Lots and Garages

Date prevailing wage rate was established: 6/20/2003



- Current total hourly rate including fringes for Parking Employee: \$38.81 per hour
- Health and welfare contribution is \$8.64 per hour when employee completed six months of service and worked a minimum of 120 hours in previous month
- No exemptions



### L.E.C. Art 102.4 (21C.4)— Theatrical Services

Date prevailing wage rate was established: 9/30/2004



- Current total hourly Stage Workers' rate including fringes: \$74.13 per hour
- All time shall be computed in 1-hour increments. Fractions of an hour shall constitute 1 hour.
- Exemptions apply

## L.E.C. Art 102.5 (21C.5) – Solid Waste Hauling

Date prevailing wage rate was established: 3/9/2007



- Current total hourly rate including fringes for Commercial Driver/Route Leadperson: \$85.43 per hour
- Health and welfare contribution is \$13.25 per hour when employee worked for employer for at least 30 days and a minimum of 80 hours in previous month
- Exemptions apply

### L.E.C. Art 102.6 (21C.6)— Moving Services

Date prevailing wage rate was established: 12/14/2004



- Current total hourly rate including fringes for Mover/Packer/Crater/ Helper: \$35.92 per hour
- Furniture Modular Installers are paid according to the DIR's prevailing wage rates
- Exemptions apply

### L.E.C. Art 102.7 (21C.1) – Motor Bus Services

Date prevailing wage rate was established: 7/2/1999



- Current total hourly rate including fringes for Double Decker Bus Driver: \$42.54 per hour
- Split shift premium: 15% premium applies to basic hourly rate for any shift with an unpaid period of greater than four hours
- No exemptions

# L.E.C. Art 102.8 (21C.8)— Trade Show and Special Event Work

Date prevailing wage rate was established: 6/18/2015



- Current total hourly rate including fringes for Journeyperson Installer: \$70.96 per hour
- Premium pay applies
  - Swing Stage Operator
  - High Time
- Exemptions apply

### L.E.C. Art 102.9 (21C.9) - Broadcast Services

Date prevailing wage rate was established: 2/10/2017



- Current total hourly rate including fringes for Corporate/Entertainment Audio Mixer: \$102.68 per hour
- Minimum call, and special rest and meal break provisions apply
- Exemptions apply

## L.E.C. Art 102.10 (21C.10)— Loading and Unloading

Date prevailing wage rate was established: 2/24/2017



- Current total hourly rate including fringes for Drivers: \$65.43 per hour
- Current total hourly rate including fringes for Forklift Operators: \$64.64 per hour
- Current total hourly rate including fringes for Helpers: \$64.30 per hour
- Exemptions apply

### L.E.C. Art 102.11 (21C.11)— Security Guard Services

Date prevailing wage rate was established: 6/2/2017



- Current total hourly rate including fringes is \$20.36 per hour for Security Officer 1 hired after 1/1/2021
- Amendment to extend current MCO & HCAO contracts will trigger 21C.11
- No waivers on health and welfare contribution (HCAO waiver provision does not apply to prevailing wage)
- HCSO may apply if employer has 20+ employees
- Exemptions apply

#### **Frequently Asked Questions**

Q: If my employees are not scheduled to work on a holiday, do I still need to pay them?

A: Yes. Employees shall receive holiday pay regardless of whether they are scheduled to work.

Q: What rate do I need to pay my employees who work on a holiday?

A: Work performed on a named holiday is paid 1.5x overtime rate, excess of 8 hours will be paid at the 2x overtime rate.

Q: I am a medium-sized employer. Does HCSO apply to me?

A: If employer has 20+ employees, HCSO may apply.



#### Reminders

- Pay attention to footnotes on the wage charts
- Pay workers according to the type of work performed
- Keep accurate payroll records
- Inform your subs and tiers of prevailing wage requirements

#### Office of Labor Standards Enforcement

**Prevailing Wage Hotline: (415) 554-OLSE (6573)** 

Email: prevailingwage@sfgov.org

Website: www.sfgov.org/olse/prevailingwage