

2023 Annual Reporting Form (ARF) Webinar for the Fair Chance Ordinance and Health Care Security Ordinance

We will begin at 11AM PST





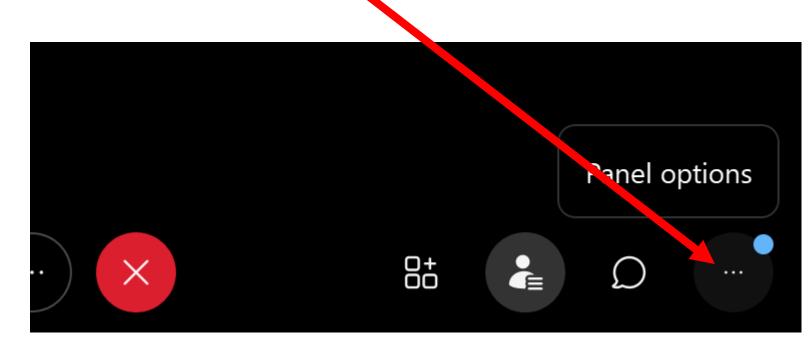
2023 Annual Reporting Form (ARF) Webinar for the Fair Chance Ordinance and Health Care Security Ordinance



Welcome & Take Our Poll

Only available for 5 minutes!

Access the Poll by clicking on the three dots on the lower right of your WebEx app.





Materials & Recording

The slide deck and a recording of this webinar will be posted at our website:

https://sf.gov/departments/office-labor-standards-enforcement



Chat Box

- Public announcements & helpful information
- Chat/Message with Host



Questions and Answers

Questions & Answers Box

 Staff will provide answers to your questions via the Q&A box during the presentation(s)

Live Question and Answer Sessions

• OLSE staff will answer select questions LIVE at the end of the FCO presentation and then again, at the end of the HCSO presentation.

Some questions may require more information and you may be asked to contact us.



Presenters

Beverly Popek (FCO) Maura Prendiville (HCSO)

Q&A Gabrielle Moses (HCSO) Jade San Diego (FCO)

Chat Box Angela Chiu



Overview of Presentation

- 1. Introduction
- 2. Fair Chance Ordinance (FCO) Report
- 3. Live Question and Answer Session for FCO

- 4. Health Care Security Ordinance (HCSO) Report
- 5. Live Question and Answer Session for HCSO



Introduction



When is the submission due?

Covered employers are required to submit the 2023 Employer Annual Reporting Form (ARF) by **May 3, 2024**.

Covered Employers who fail to submit the Employer Annual Reporting Form by the deadline may be subject to a penalty of \$500 per quarter.



When can I access the Annual Reporting Form (AFR)?

You can access to the AFR on March 26, 2024.



Where can I find the Form and Resources?

https://www.sf.gov/submit-employer-annualreporting-form-olse







Submit an Employer Annual Reporting Form to OLSE



Annual Report Form

Employers covered under by the Health Care Security Ordinance and/or Fair Chance Ordinance are required to submit the Employer Annual Reporting Form to OLSE each year.

Submit Form

Resources

Resources

ARF Preview pages

- Preview PDF slides of the 2023
 Annual Reporting Form
- Preview PDF slide of the 2023
 Annual Reporting Form FCO Only



ARF Written Instructions

Follow the 2023 ARF written
 instructions



ARF Video guide

Recorded instructions on how to submit the 2023 Annual Reporting Form (Coming Soon)

- Health Care Security Ordinance video instructions
- Fair Chance Ordinance video instructions

What will I need to complete the form?

- Use the PDF copy of the ARF to view all questions.
- Gather answers to all of the questions for the FCO & HCSO sections.
- Remember that there are links on the live form to read instructions/helpful information.



Your 7-digit San Francisco Business Account Number

- This number can be found on the Business Registration Certificate(s)(AKA business license) issued by the San Francisco Treasurer & Tax Collector.
- Search the <u>San Francisco Data website</u>. A link to this database is on the form.



Please note:

- If your Business Account Number is only six digits, add a zero to the beginning of the number.
- If you do not have a Business Account Number, please visit the <u>website of the Office of the Treasurer and Tax Collector</u> to register your business as soon as possible.
- If you are submitting aggregated information for a controlled group of multiple entities, enter the Business Account Number for any one of those entities.



• The total number of persons employed (including those outside of San Francisco) for each quarter within specific ranges (0-4, 5-19, 20-49, 50-99, 100+).



Corrections/Resubmissions

- If you make a mistake on your ARF, you may re-submit a corrected form.
- The corrected submission will replace any form submitted previously with the **same Business Registration Account Number**.



Can you look up my submission/report?

No.



Other Helpful Information

- Take the time to plan your answers and record the answers.
- The form can only be completed and submitted in the continental United States.



Introduction Questions and Instructions



Access the ARF

- Goto FCO webpage <u>https://www.sf.gov/information/fair-chance-ordinance</u>
- Goto the HCSO webpage <u>https://www.sf.gov/information/health-care-security-ordinance</u>
- Goto OLSE Website and navigate from there -<u>https://www.sf.gov/departments/office-labor-standards-enforcement</u>
- Click here March 26, 2024 and after https://etaxstatement.sfgov.org/olse/

Introduction Page

Answer these questions to find out if you need to complete a 2023 Employer Annual Reporting Form. The form can only be completed and submitted in the continental United States. More information

1) Did any employees regularly work in San Francisco in 2023? Include only employees who worked 104 hours or more in a quarter. Include employees who worked from home in San Francisco. More information

○ Yes ○ No

2) How many workers did the employer have performing work in 2023? Include all workers worldwide. If the number fluctuated, see the instructions.

○ 0-4 ○ 5-19 ○ 20-49 ○ 50+

3) Did the employer have a contract to perform work for the City and County of San Francisco during 2023?

○ Yes ○ No

4) Is the employer a for-profit or a non-profit entity?

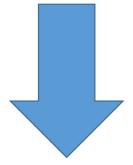
○ For-profit ○ Non-profit



- To check if you are required to complete the ARF, complete the first page (Introduction Page).
- Employers who were not covered by the Health Care Security Ordinance or the Fair Chance Ordinance in 2023 will be directed to a webpage indicating that they do not need to complete the 2023 Employer Annual Reporting Form.
- If you are not covered by these laws, you do not need to notify the City; no further action is required.



Not Required to File Message



Not Required to File

You are not required to complete the 2022 Employer Annual Reporting Form. No further action is required.

Close the browser or click on the Cancel button below to go back to the Introduction page.

Cancel

Getting Started

Based on your answers to the introductory questions, you must complete the 2023 Employer Annual Reporting Form.

The form is due by Wednesday, May 1, 2024 or Monday, May 6, 2024. Employers who do not submit a form may be subject to a penalty of \$500 per quarter.

Read the Instructions before you begin. If you need help completing the form, sign up for a 2023 Employer Reporting Form Webinar.

You will need a San Francisco Business Account Number to complete the form. You can find this number:

- On your Business Registration Certificate issued by the San Francisco Treasurer & Tax Collector.
- On the San Francisco Data website.

If you have not registered with the S.F. Treasurer and Tax Collector's Office, you will need to register before completing this form. Register here. Enter your 7-digit S.F. Business Account Number and click "Validate". If it has only 6 digits, enter a zero first.

Business Account Number

Validate

Business Name:

Is this your Business?



Continue

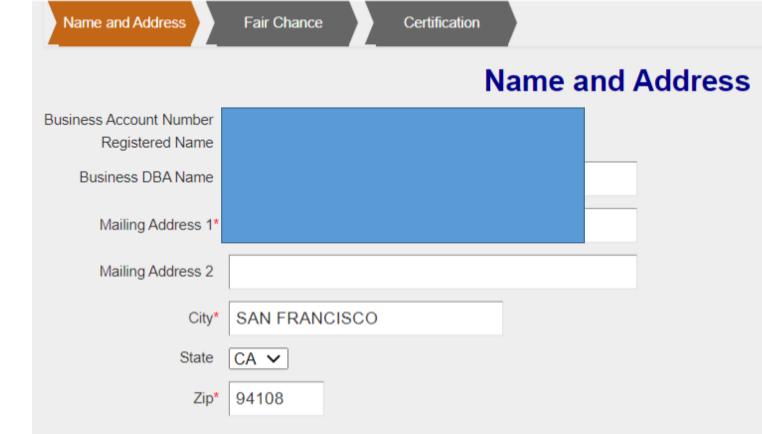
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< Previous Next >

Showing Registered business location

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* Required fields.

If this is a new address, please update your record with the Treasurer and Tax Collector's Office here.

Business Type

Select if you are filing on behalf of several entities in the same "control group" or under common control. More information

Use buttons at the bottom of this form to navigate forward and backwards. Do not use the back button in your internet browser or you may lose your answers.

Next

FCO Questions and Instructions



San Francisco FCO - Who is Covered?

Employers without City Contract(s)

5+ employees worldwide & any employees (or planned positions) in SF

 Any position where the employee works/will work at least 8 hours/week in SF

City and County of San Francisco Contractors**

- <u>Any size</u> & any employees (or planned positions) in SF
- Any position where the employee works/will work at least 8 hours/week in SF

**"Contractor" shall mean any person or persons, firm, partnership, corporation, or combination thereof who enters into a Contract or Property Contract with the City and County of San Francisco.



Nonprofits & City Contractors

- Nonprofits with 20-49 employees
- City Contractors with less than 20 employees

Covered under the FCO but not the HCSO.

These entities will be directed to a shorter version of the Annual Reporting Form.



Fair Chance Ordinance Reporting

The San Francisco Fair Chance Ordinance requires all City Contractors and employers with 5 or more employees to follow strict rules regarding the use of arrest and conviction records in hiring and employment decisions. The law applies to positions that perform 8 hours of work or more in San Francisco.

Employers covered by the law are required to report to the OLSE. More information

1) How many employees did your company hire to work in San Francisco during 2023 (including telecommuters working in San Francisco)?

0

2) During 2023, did your company's employment application for jobs in San Francisco, including online applications, ask about arrest or conviction records? O Yes O No

3) In 2023, did your business conduct criminal background checks for any applicants before making a conditional offer of employment?

O Yes O No

4) The FCO prohibits employers from inquiring about the following at any time:

- · An arrest not leading to a conviction, except for unresolved arrests;
- · A conviction that is more than 7 years old;
- · Participation in a diversion or deferral of judgment program;
- · A conviction that has been dismissed, expunged, or otherwise invalidated;
- · A conviction in the juvenile justice system;
- · An offense other than a felony or misdemeanor, such as an infraction
- · A conviction for decriminalized conduct, including the non-commercial use and cultivation of cannabis (as of October 1, 2023)

Did your company inquire about any the above in 2023?





Office of Labor Standards Enforcement

33

1) How many employees did your company hire to work in San Francisco during 2023 (including telecommuters in San Francisco)?

Include part-time, temporary, seasonal employees, as well as telecommuters who work within the geographic boundaries of San Francisco.



2) During 2023, did your company's employment application for jobs in San Francisco, including online applications, ask about arrest or conviction records?

Yes or No

Report on whether your company or organization's employment application for jobs in San Francisco ask about arrest or conviction information. This can include an online application template that is not specific to San Francisco, but that is used by applicants for San Francisco jobs.



3) In 2023, did your business conduct criminal background checks for any applicants before making an conditional offer of employment?

Yes or No



3) In 2023, did your business conduct criminal background checks for any applicants before making an conditional offer of employment?

Yes OR No

- The Fair Chance Ordinance was amended effective October 1, 2018. Prior to that date, employers could inquire into an applicant's arrest or conviction record after a live interview. As of October 1, 2018, employers could only inquire into arrest or conviction records after making a conditional offer of employment to an applicant.
- Report on whether the company or organization conducted background checks on conviction and or arrest records before a live interview (including a telephone interview) in 2022.
- Report on whether the company or organization conducted background checks on conviction and or arrest records before making a conditional offer of employment in 2022.

4) The FCO also prohibits covered employers from ever considering the following at anytime...

- An arrest not leading to a conviction, except for unresolved arrests.
- Participation in a diversion or deferral of judgment program.
- A conviction that has been dismissed, expunged, otherwise invalidated, or inoperative.
- A conviction in the juvenile justice system.
- An offense other than a felony or misdemeanor, such as an infraction.
- A conviction that is more than 7 years old (*unless the position being considered supervises minors or dependent adults*).
- A conviction for decriminalized conduct, including the non-commercial use and cultivation of cannabis.

Did your company inquire about any of the above in 2023?



5) Did you hire anyone with a conviction history during 2023?

○ Yes ○ No ○ Do not know

6) Is your business exempt from any of the FCO's restrictions (either because you are required to conduct background checks under state or federal law, or because your employees are drivers or work with children, seniors, or disabled individuals)? More Information

○ Yes ○ No

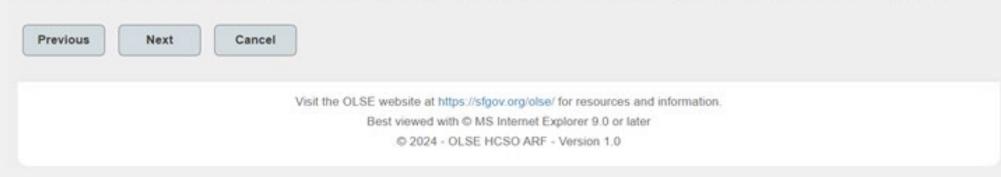
7) What is the highest number of employees, globally, your business had in any quarter of 2023?

0-19 🗸

Fair Chance Ordinance Resources and Support

Website: https://sf.gov/fco Email: fco@sfgov.org Fair Chance Ordinance Hotline: (415) 554-5192

Use buttons at the bottom of this form to navigate forward and backwards. Do not use the back button in your internet browser or you may lose your answers.



5) Did you hire anyone with a conviction history in 2023?

Possible Answers:

- Yes
- No
- Don't know



6) Is your business exempt from any of the FCO's provisions (either because you are required to conduct background checks under state or federal law, or because your employees are drivers or work with children, seniors, or disabled adults)?

6) Is your business exempt from any of the FCO's restrictions (either because you are required to conduct background checks under state or federal law, or because your employees are drivers or work with children, seniors, or disabled individuals)? More Information

 \bigcirc Yes \bigcirc No



6) Is your business exempt from any of the FCO's provisions (either because you are required to conduct background checks under state or federal law, or because your employees are drivers or work with children, seniors, or disabled adults)?

Yes or No

6) Is your business exempt from any of the FCO's restrictions (either because you are required to conduct background checks under state or federal law, or because your

employees are drivers or work with children, seniors, or disabled individuals)? More Information

Yes	

a) If so, please select the type of jobs for which you are hiring:	Financial
	Einopoio

7) What is the highest number of employees your business had

0-19 🗸

Financial Services Financial Services Care for Children, Seniors, or Disabled Individuals Driving and transportation Other

Fair Chance Ordinance Resources and Support

7) What is the highest number of employees your business had in any quarter of 2023?

- You will only get this question if you did NOT have to submit HCSO data.
- Count all employees in the world (outside of San Francisco).
- Select from the dropdown menu.

7) What is the highest number of employees your business had in any quarter of 2022?

0-19 🗸 🗸

FCO Unit

FCO Webpage:

https://sf.gov/information/understanding-fair-chance-ordinance

Recorded Webinars: <u>https://www.sf.gov/videos-about-san-francisco-labor-laws</u>

Email:

fco@sfgov.org

Office of Labor Standards Enforcement Website:



https://sf.gov/departments/office-labor-standards-enforcement

I need to speak/communicate with someone about the ARF

(415) 554-7892

or <u>hcso@sfgov.org</u>





FCO Questions? Send us your questions in the Q&A Box



Materials & Recording

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https://sf.gov/departments/office-labor-standards-enforcement



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Questions and Answers

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Some questions may require more information and you may be asked to contact us.





Employer Annual Reporting Form for 2023

Health Care Security Ordinance

hcso@sfgov.org (415) 554-7892

HCSO: Who's Covered

Health Care Security Ordinance (HCSO)

- Applies to:
 - for-profit employers with 20 or more workers worldwide
 - nonprofits with **50 or more workers worldwide**
- Requires health care expenditures for SF employees at a certain hourly rate;
- Requires annual reporting by employers



Annual Reporting: Big picture

- You should <u>already be familiar with the HCSO;</u>
 - This should not be the first time you've heard of this law.
 - If you're new to the HCSO or need a refresher about compliance, sign up for the next monthly compliance webinar on April- 9th:
 - <u>Employer Webinars San Francisco City Option (sfcityoption.org)</u>
- You should have <u>already complied</u> with the HCSO;
 - This should not be the first time you're reviewing your compliance for last year.
- You should know how you complied, and use the Reporting Form to provide the City with an overall snapshot of your compliance;
 - No, OLSE does **not** know all the ways you complied with the HCSO, even if you have a City Option account.
- Deadline for 2023 report = May 3, 2024



Resources

- Reporting form resource page: <u>https://www.sf.gov/submit-employer-annual-reporting-form-olse</u>
 - PDF preview of the full form
 - Instructions
- HCSO Page: <u>Health Care Security Ordinance | San Francisco</u> (sf.gov)
- Hotline: email <u>hcso@sfgov.org</u> or call (415) 554-7892



Before You Begin

- You cannot save the form and return to it later—so we <u>highly recommend</u> you utilize the PDF preview to view all the questions.
- Prepare your answers in advance.
- If the person submitting the form is physically located outside the continental U.S., please contact OLSE for guidance.



What information will I need?

- SF Business Account Number;
- # Employees who worked in SF (including remote workers who live in SF);
- Types of health care expenditures made for the SF employees last year, and how much was spent on:
 - Health insurance? (fully-funded or self-funded)
 - Dental/vision insurance?
 - City Option payments?



Introduction Page

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○ Yes ○ No

2) How many workers did the employer have performing work in 2023? Include all workers worldwide. If the number fluctuated, see the instructions.

```
○ 0-4 ○ 5-19 ○ 20-49 ○ 50+
```

3) Did the employer have a contract to perform work for the City and County of San Francisco during 2023?

4) Is the employer a for-profit or a non-profit entity?

○ For-profit ○ Non-profit

Next

Reset

Getting Started

Based on your answers to the introductory questions, you must complete the 2023 Employer Annual Reporting Form.

The form is due by Friday, May 3, 2024. Employers who do not submit a form may be subject to a penalty of \$500 per quarter.

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- · On the San Francisco Data website.

If you have not registered with the S.F. Treasurer and Tax Collector's Office and will need to register before completing this form. Register here. Enter your 7-digit S.F. Business Account Number and click "Validation of that only 6 digits, enter a zero first.

Business Account Number

Validate

Business Name:

Is this your Business? Continue Cancel

Do not use your browser back button to navigate between pages.

Getting Started Page

- OLSE does NOT have your BAN—YOU do!!
- 7-digit number enter leading zeroes if necessary!
- Can't find your BAN? Look it up at:
 - <u>Registered Business Locations San Francisco | DataSF | City</u> and County of San Francisco (sfgov.org)
 - Preview of this page on next slide
- Don't have a BAN? Register your business at:
 - <u>http://sftreasurer.org/registration</u> (OLSE cannot register your business for you)



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< Previous Next >

Showing Registered business locations 1 to 100 out of 287,204

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Name & Address

Name and Address

Business Account Number 1 Registered Name L	000088
Business DBA Name	
Mailing Address 1*	123 North St
Mailing Address 2	
City*	SAN FRANCISCO
State	CA 🗸
Zip*	94105

* Required fields.

If this is a new address, please update your record with the Treasurer and Tax Collector's Office here.

Business Type

Select if you are filing on behalf of several entities in the same "control group" or under common control. More information

Use buttons at the bottom of this form to navigate forward and backwards. Do not use the back button in your internet browser or you may lose your answers.

Next Cancel

Name & Address

- *Certificate Number* auto-generated
- *Registered Name* auto-generated
- Business dba Name
- Mailing Address

Business Type

• Select if you are filing on behalf of several entities in the same "control group." If yes enter those Business Account Numbers





Health Care Security Ordinance Reporting

	1st Quarter January to March 2023	2nd Quarter April to June 2023	3rd Quarter July to September 2023	4th Quarter October to December 2023
Business Size -	0-19	0-19	0-19	0-19
Number of Workers	O 20-49	O 20-49	O 20-49	O 20-49
Worldwide	0 50-99	0 50-99	0 50-99	0 50-99
More information	O 100+	O 100+	O 100+	O 100+

HCSO Reporting

Business Size

- How many people worked for your business in each quarter of 2023?
 - Total worldwide, regardless of geographic location
 - Include all persons, regardless of status (temp, etc.)
 - If number fluctuates, average 13 weeks of the quarter
 - Ranges:
 - 0-19
 - 20-49
 - 50-99
 - 100+





Employees Covered by the HCSO

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	Lauren in March 2023	Analise June 2022	Juliute Particular 9099	Outuburte December 2022
Employees Covered by the				
HCSO	0	0	0 0)
More information	1			



Employees Covered by the HCSO

- How many employees were entitled to health care spending from your business under the HCSO in each quarter of 2023?
 - Regularly worked at least 8 hours of work/week or an average of 8 hours in SF (including remote workers in SF)
 - Employed for 90 calendar days after first day of work;
 - Limited exemptions
 - <u>All, or nearly all, of your San Francisco employees will fit</u> <u>into this category.</u>



Employees Total Health Care Spending

Total Health Care Spending
for Employee Covered by the
HCSO in Dollars
More information
Types of Health Care Spending included in the total above (select all that apply).
If you check any of the Self-Funded options, please enter the hourly amount in the Other field at the bottom.
Health Insurance (Traditional/Fully Funded)
Vision (Traditional/Fully Funded)
Dental (Traditional/Fully Funded)
Self-Funded Health Insurance
Self-Funded Vision
Self-Funded Dental
San Francisco City Option
Contributions to a Taft Hartley Union fund for Health Insurance
Health Savings Account
Irrevocable HRA
Other (describe below max 250 characters)
Use buttons at the bottom of this form to navigate forward and backwards. Do not use the back button in your internet browser or you may lose your answers.
Previous Next Cancel



Employees Total Health Care Spending

- Type in **combined quarterly total** spent on SF employees for all types of health care expenditures, including:
 - Insurance (do NOT include premiums paid by employees)
 - City Option payments;
 - Health & welfare contributions;
 - Health Savings Accounts;
- No need to break down dollar amounts for each category.
- Note: if any insurance plans were self-funded, do NOT include those in the quarterly dollar amount. Those have an hourly calculation. Check the "self-funded" box and write the hourly amount in "other."





Surcharge

Did you impose a surcharge on your customers at any time in 2023 to cover, in whole or in part, the costs of providing health care and/or complying with the HCSO?

More information

Yes - Please complete the sections below.

O No

If yes, how much did you collect (in dollars) from your customers in 2023 through this surcharge for employee health care?

If yes, please enter the language on your menu, receipts, or customer contracts to identify the surcharge:

Use buttons at the bottom of this form to navigate forward and backwards. Do not use the back button in your internet browser or you may lose your answers.

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Previous Next Cancel





- Did you impose a surcharge on your customers at any time in 2023 to cover the costs of providing health care and/or complying with the HCSO?
- If no, select "no" and move on.
- If yes, please enter the dollar amount collected in calendar year 2023.
- Then enter the language used to identify the surcharge on your menu/receipts, etc. For example, "Healthy SF fee," "Employer Mandates," "HCSO charge."





- Certify you are an authorized representative; submit under penalty of perjury
- Your Name, Title, & Phone
- Email Address
 - Please double check to ensure receipt of confirmation email!

Submit

 Corrections after submission: start the form over and resubmit – we will use the most recent submission.



Troubleshooting

Made a mistake?

• You can resubmit the form, but not edit.

Realized you're out of compliance?

• Please contact OLSE for advice about how to remedy past noncompliance.



I need to speak/communicate with someone about the ARF

(415) 554-7892

or <u>hcso@sfgov.org</u>





HCSO Questions? Send us your questions in the Q&A Box

