



**- POST WHERE EMPLOYEES CAN READ EASILY -
- VIOLATORS SUBJECT TO PENALTIES -**

OFFICIAL NOTICE

Minimum Wage Rate
\$15.25 per hour

SAN JOSE MINIMUM WAGE
Effective Date: January 1, 2020

Beginning **January 1, 2020**, employers who are subject to the San José Business License Tax **or** who maintain a facility in San José must pay to each employee who performs at least two (2) hours of work per week in San Jose wages of not less than **\$15.25 per hour**.

The minimum wage requirement set forth in the San José Minimum Wage Ordinance applies to adult and minor employees who work two (2) or more hours per week (tips **not** included). Each year, the City will adjust the minimum wage based on the US Department of Labor's Regional Consumer Price Index.

Under the Ordinance, employees who assert their rights to receive the City's minimum wage are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of the Ordinance or may file a complaint with the City's Office of Equality Assurance. The City will investigate possible violations, will have access to payroll records, and will enforce violations of the minimum wage requirements by ordering reinstatement of employees, payment of back wages unlawfully withheld, and penalties.

If you have questions, need additional information, or believe you are not being paid correctly, please contact your employer or the City of San José Office of Equality Assurance at:

Office of Equality Assurance
200 East Santa Clara Street, Fifth Floor
San José CA 95113
Telephone: **408-535-8430**
E-Mail: SJMWO@sanjoseca.gov

San Jose Minimum Wage Ordinance

San Jose Workers – Know Your Rights

- Beginning January 1, 2020, employees who work at least two (2) hours or more per week in San Jose for a covered employer have the right to be paid a wage rate of \$15.25 per hour
- It is against the law for an employer to discriminate or take adverse action against an employee for exercising their rights under the Ordinance
- Covered employees are entitled to these rights regardless of immigration status

What to do if you are not receiving \$15.25 per hour?

If you believe you are not receiving a wage rate of \$15.25 per hour, contact the Office of Equality Assurance at:

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200 East Santa Clara Street, Fifth Floor
San Jose CA 95113

Phone: 408-535-8430

E-Mail: SJMWO@sanjoseca.gov

You will be asked to provide:

- Your name, mailing address and phone number
- Name, address and phone number of the company where you work
- Manager or owner's name
- Type of work you perform
- How and when you are paid (example: cash or check, every week)

Any additional information you can provide such as copies of pay stubs, personal records of hours worked or other information regarding your employer's pay practices are helpful.

All services are free and confidential. Please remember that your employer cannot terminate you or in any other manner discriminate against you for filing a complaint with the Office of Equality Assurance.



Office of Equality Assurance
200 East Santa Clara Street
Fifth Floor
San Jose, CA 95113



San Jose Minimum Wage Ordinance

San Jose Minimum Wage Ordinance Basics

- 2020 minimum wage rate is \$15.25 per hour
- Minimum wage rate adjusted each January
- Covered employers must pay a minimum wage of \$15.25 per hour to each employee who performs two (2) hours or more of work per week in San Jose

**The 2020
San Jose
Minimum Wage Rate:**
\$15.25
per hour

Covered Employer Responsibilities Include

- Post official San Jose Wage Bulletin in workplace informing employees of current minimum wage rate and their rights
- Document all hours worked by employees and keep records for four (4) years
- It is unlawful to discriminate in any manner or take adverse action against any person in retaliation for exercising their rights protected under Ordinance
- Provide each employee at time of hire with employer's name, address and telephone number

Additional Information

For additional information regarding the San Jose Minimum Wage Ordinance, visit the City of San Jose's website at: <http://www.sanjoseca.gov/index.aspx?NID=3491>, give us a call at 408-535-8430 or e-mail us at SJMWO@sanjoseca.gov



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CITY OF SAN JOSE

COVID-19 PAID SICK LEAVE ORDINANCE

The City of San José COVID-19 Paid Sick Leave Ordinance expands the Families First Coronavirus Response Act (FFCRA), enacted by the federal government on April 1, 2020. FFCRA entitles certain employers to provide eligible employees with paid sick leave for specified reason related to COVID-19. These Ordinance provisions will apply from April 7, 2020 through December 31, 2020.

PAID SICK LEAVE ENTITLEMENTS

Generally, employers covered under the Ordinance must provide eligible employees up to two weeks of paid sick leave based on the higher of their regular rate of pay, or the applicable state or local minimum wage, paid at:

- 100% of pay rate for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- 66% of pay rate for qualifying reasons #4 and #6 below, up to \$200 daily and \$2,000 total;

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

ELIGIBLE EMPLOYEES

In general, employees not covered under the FFCRA, which include but are not limited to private sector employers with more than 500 employees and employers of 50 or fewer who qualify under the “small business” exemption under the FFCRA.

QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

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| (1) Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; | (4) Is caring for an individual subject to an order described in (1) or self-quarantine and described in (2); |
| (2) Has been advised by a health care provider to self-quarantine related to COVID-19; | (5) Is caring for his or her child whose school or place of care is closes (or the childcare provider is unavailable) due to COVID-19 related reason; or |
| (3) Is experiencing COVID-19 symptoms and is seeking medical diagnosis; | (6) Is experiencing any other substantially similar condition specified by the U.S Department of Health and Human Services |

QUESTIONS?

*Office of Equality Assurance
200 East Santa Clara Street - Fifth Floor
San José, CA 95113*

*Telephone: (408) 535-8481
E-mail: MyWage@sanjoseca.gov
All services are free and confidential.*