GENERAL SERVICES AGENCY
OFFICE OF LABOR STANDARDS ENFORCEMENT
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Summary Comparison of Minimum Compensation Ordinance and Health Care Accountability Ordinance

The following chart is a **general** comparison of the two ordinances, including what contracts they apply to, what vendors they apply to, what employees they apply to, and what benefits they require. To keep the chart short and readable, the chart covers only the main points of comparison and omits a lot of detail.

This information is not intended as legal advice. Please note that the answers provided herein are for informational purposes only. For additional information you may go to the Office of Labor Standards Enforcement (OLSE) website www.sfgov.org/olse, or contact us at (415) 554-4791.

	MCO (Living Wage) Chapter 12P	**HCAO (Living Health)** Chapter 12Q
What are the required benefits for covered employees?	The MCO requires Contractors to provide: • a minimum hourly gross compensation wage rate. The minimum wage rate may change from year to year and Contractor is obligated to keep informed of the then-current requirements. (Sec. 12P.3) • 12 days paid time off per year. (Sec. 12P.3(a)(2)) • 10 days unpaid time off per year. (Sec. 12P.3(a)(3))	• For most covered employees, provide health coverage or pay the City $3.75 per hour. (Sec. 12Q.3) • For covered employees who do not live in SF and do not provide services in SF, at the Airport, or at the San Bruno jail, provide health coverage or pay the employee $3.75 per hour. (Sec. 12Q.3) • For employers that choose to make payments, the total payment per employee is not to exceed $150 per week.
Who is a "covered employee"?	• Works on the City contract at least 4 hours per week during the pay period in or outside of San Francisco or on property owned by the City. (Sec. 12P.2(i)) and not at San Francisco Intl. Airport. • Works on the City contract at least 10 hours during a 2-week pay period at San Francisco Airport. (Sec. 12P.4)	• Works at least 20 hours per week in any month on the City contract. (Sec. 12Q.2.9)

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	MCO (Living Wage) Chapter 12P	**HCAO (Living Health)** Chapter 12Q
What size of business does the Ordinance apply to? (The numbers include employees of the business's parent and subsidiaries and those of subcontractors.)	• 6 or more employees (Sec. 12P.2(e)). <u>Number includes employees of subcontractors.</u>	• 21 or more employees for commercial businesses, and 51 or more employees for non-profit businesses (12Q.3(e)). <u>Number includes employees of subcontractors.</u>
What size of contract does the Ordinance apply to?	• All contracts, after the business has $25,000 or more in contracts with a department during the fiscal year. (Sec. 12P.2(e))	• For commercial businesses, contracts of $25,000 or more, and all contracts after the business has contracts totaling at least $75,000 with the City during a fiscal year. (Sec. 12Q.2.4(5)) • For non-profit businesses, contracts of $50,000 or more, and all contracts after the business has contracts totaling at least $75,000 with the City during a fiscal year. (Sec. 12Q.2.4(5))
What type of contract does the Ordinance apply to?	• Contracts for services and grants for services. Leases at the Airport. Contractors doing work for Airport tenants. (Sec. 12P.2)	• Service contracts lasting 1 year or more. Leases on City property within the San Francisco city limits and at the Airport. Contractors doing work for City tenants and subtenants. (Sec. 12Q.2.4(a) and (b)).
What is the Ordinance's effective date?	• October 8, 2000 • Amendments: October 14, 2007	• July 1, 2001 • Amendments: April 23, 2006
Does the Ordinance apply to City contracts with other government agencies?	No, except for contracts with SF Community College District, SF Housing Authority, SF LAFCO, SF Redevelopment Agency, SF Transportation Authority, and SF Unified School District. (Sec. 12P.2(e))	No, except for contracts with SF Health Authority, SF LAFCO, SF Parking Authority, SF Redevelopment Agency, and SF Transportation Authority. (Sec. 12Q.2.4)
What about waivers?	Sole source; emergency; no vendors comply; bulk purchasing; non-profit; special PUC contract; collective bargaining. (Sec. 12P.7)	Generally the same as MCO. (Sec. 12Q.6)