

**LIVING WAGE ORDINANCE ANNUAL
CERTIFICATION OF COMPLIANCE FOR
PURCHASE ORDERS**
Fiscal Year _____ (July 20XX - June 20XX)
REQUIRED BY SAN DIEGO MUNICIPAL CODE §22.4225(c)

COMPANY INFORMATION

Company Name: _____

Company Address: _____

Company Contact Name: _____

Contact Phone: _____

FISCAL YEAR INFORMATION

Start Date: _____

End Date: _____

Purpose/Type of Service Provided: _____

TERMS OF COMPLIANCE

A contractor or subcontractor working on or under the authority of an agreement subject to the Living Wage Ordinance [LWO] must comply with all applicable provisions unless specifically approved for an exemption. Basic requirements of the LWO are:

- (a) Pay covered employees the current fiscal year hourly wage rate;
- (b) If any lesser amount is applied toward the health benefits rate, add this difference to the hourly wage rate as cash;
- (c) Provide minimum of 80 compensated leave hours per year for illness, vacation, or personal need at the employee's request and permit 80 additional unpaid leave hours for personal or family illness when accrued compensated leave hours have been used;
- (d) Annually distribute a notice with the first paycheck after July 1 to inform all covered employees of LWO requirements, their possible right to Federal Earned Income Tax Credit, and possible availability of health insurance coverage under the Affordable Care Act;
- (e) Prohibit retaliation against any covered employee who alleges noncompliance with the requirements of the LWO;
- (f) Permit access for authorized City representatives to work sites and records to review compliance with the LWO; and
- (g) Maintain wage and benefit records for covered employees for 3 years after final payment.

If a subcontractor fails to submit this completed form, the prime contractor may be found in violation of the LWO for failure to ensure its subcontractor's compliance. This may result in a withholding of payments or termination of the agreement.

CONTRACTOR CERTIFICATION

By signing, the contractor certifies under penalty of perjury under laws of the State of California to the following:

- (a) adhere to the terms of compliance for all covered contracts that fall under the Living Wage Ordinance for the fiscal year;
- (b) will perform at least fifty percent (50%) of the work with its own employees for each service contract that falls under the Living Wage Ordinance for the fiscal year; and
- (c) will be responsible for all the terms under the Living Wage Ordinance for the entire fiscal year.

Name of Signatory

Title of Signatory

Signature

Date

FOR OFFICIAL CITY USE ONLY

Date of Receipt: _____

LWO Analyst: _____

Fiscal Year: _____

Instructions and Guidelines for Completing the Living Wage Ordinance Annual Certification of Compliance

Section 1- Company Information (Mandatory Field)

- Company must fill out the full business name (This includes and other names the business uses to operate or provide services)
- The complete address of the company must be provided.
- Company Contact Name and Telephone Number

Section 2- Fiscal Year Information

- Start Date- Business identifies the start date they begin services.
- End Date- This certification will be for a fiscal year and the end date will go through the end of the fiscal year for the City of San Diego. (Ex. For Fiscal Year 2023 the end of the fiscal year would be June 30, 2023)

Section 3- Terms of Compliance

- Each covered employer shall file an LWO Certification of Compliance with the Living Wage Manager within 30 days of becoming a covered employer for that fiscal year.
- Covered employers are required to ensure that all applicable subcontractors file an LWO Certification of Compliance within 30 days of becoming covered by the LWO.
- Failure to file an LWO Certification of Compliance may result in payment being withheld until the document is submitted.
- The Living Wage Annual Certification of Compliance will be completed by the business each fiscal year.
- The contractor understands that they will comply with all the requirements under the Living Wage Ordinance for any purchase order awarded that is subject to the Living Wage for that fiscal year.

Section 4- Contractor Certification (Mandatory Field)

- The contractor certifies that they will comply with the requirements for covered contracts that fall under the Living Wage Ordinance for the fiscal year the Certification of Compliance is being submitted for.
- Signed and dated by a legally authorized officer for the business.

Section 5- For Official City Use Only (City of San Diego Living Wage Program)