

## LIVING WAGE ORDINANCE PROPORTIONAL COMPENSATED LEAVE CALCULATION

The Living Wage Ordinance requires employers to provide a minimum of 80 compensated leave hours per year to covered employees for vacation, illness, or personal need [San Diego Municipal Code §22.4220(c)]. Days off for part-time employees accrue at a rate proportional to full-time employees. Paid holidays provided under established employer policy are not counted toward provision of compensated leave.

A part-time employee earns 1 hour of compensated leave time after working 25 hours, as shown:

### Compensated Leave Per Hour Formula

50 weeks x 40 hours = 2000 hours requires 80 hours  
 2000 hours ÷ 80 hours = 25 hours  
 25 hours of work = 1 hour compensated leave

If it's determined that a covered employer did not provide compensated leave time in accordance with the LWO, that employer is required to make back payment to covered employees. The back-payment amount is calculated on an hourly basis, as shown:

### Compensated Leave Cost Per Hour

25 hours of work = 1 hour compensated leave  
 LWO wage rate ÷ 25 hours = Back pay amount per hour

The applicable Living Wage rate for the fiscal year is used to determine the back-pay amount owed:

Effective Dates	Calculation	Back Pay Amount
7/1/2021 - 6/30/2022	\$16.54 ÷ 25 =	\$0.662 /hour
7/1/2020 - 6/30/2021	\$16.30 ÷ 25 =	\$0.652 /hour
7/1/2019 - 6/30/2020	\$15.93 ÷ 25 =	\$0.637 /hour
7/1/2018 - 6/30/2019	\$15.41 ÷ 25 =	\$0.616 /hour
7/1/2017 - 6/30/2018	\$14.95 ÷ 25 =	\$0.598 /hour

A covered employer who violates this requirement of the Living Wage Ordinance is subject to termination of the contract, debarment, and additional fines [SDMC 22.4230 (f)]. Such fines may be assessed in the amount of \$100 for each violation for each covered worker for each day.

**If you believe your rights have been violated, you should immediately contact the following:**

City of San Diego  
 Living Wage Program  
 (619)236-6000  
[ContactLWO@sandiego.gov](mailto:ContactLWO@sandiego.gov)