

City of Pasadena Minimum Wage Frequently Asked Questions August 2016

1. What is in the City of Pasadena Minimum Wage Ordinance?

The City Council approved the ordinance to create a City Minimum Wage. The ordinance requires employers that maintain a place of business in Pasadena or perform any work/service within Pasadena city limits to pay the City Minimum Wage. The City's Minimum Wage became effective on July 1, 2016 for businesses with 26 or more employees and requires payment of a minimum wage of \$10.50 an hour.

2. When does the City of Pasadena Minimum Wage Ordinance take effect?

The ordinance became effective on July 1, 2016.

3. Does the Pasadena Minimum Wage apply to all employers that have employees who perform work in Pasadena?

Yes, all employers regardless of where they are located must pay the Pasadena Minimum Wage to their employees who perform at least two hours of work in Pasadena.

4. Is the Pasadena minimum wage the same for employees of nonprofit agencies?

The Ordinance includes a procedure to allow a nonprofit employer with 26 or more employees to qualify for the deferral rate (Section 5.02.025)

5. Does the Pasadena minimum wage cover employees who work in Pasadena but are not Pasadena residents?

Yes. Any person who performs at least two hours of work in a particular week for an employer within the geographic boundaries of the City of Pasadena is entitled to be paid the Pasadena minimum wage.

6. Does the Pasadena Minimum Wage Ordinance protect undocumented workers?

Yes. All workers are protected. Workers reporting violations of the Minimum Wage Ordinance with the City of Pasadena will not be questioned about their immigration status.

7. What's the difference between the Federal, State, and Pasadena Minimum Wage laws?

The newly adopted state minimum wage law does not preempt Pasadena's minimum wage ordinance. Pasadena's minimum wage ordinance increases the minimum wage at a faster rate than does the new state minimum wage law. Employers must follow the

stricter standard; that is, the one that is most beneficial to the employees. Since Pasadena's current law requires a higher minimum wage rate than the state and federal laws, all employers that have employees who perform work in Pasadena must pay Pasadena's minimum wage rate unless their employees are exempt under California law.

8. May an employee agree to work for less than the Pasadena minimum wage?

No. The Pasadena minimum wage is an obligation of the employer and cannot be waived by an employee.

9. What can I do if my employer does not pay me at least the Pasadena minimum wage?

A complaint can be filed with code compliance staff in the City of Pasadena's Planning and Community Development Department either in person or online, or by filing a complaint with staff at Jackie Robinson Community Center or Villa Parke Community Center. The City has the authority to inspect workplaces, interview witnesses, and request copies of important documents. The ordinance also provides employees the right to file a civil action in court against the employer.

Please go to www.cityofpasadena.net/Planning/MinimumWageComplaintForm/ to file an on-line complaint.

10. What can I do if my employer retaliates against me because I question him/her about not being paid the Pasadena minimum wage?

Under the ordinance, it is unlawful for an employer to retaliate against any employee who asserts their right to receive the Pasadena minimum wage. An employee or another person may report to the Department in writing any suspected violation of the MWO, including retaliation.

11. Are there any exemptions to the Pasadena Minimum Wage Ordinance?

The MWO provides a one-year delay for employers with 25 or few employees, and upon review and approval a one-year delay for non-profits with 26 or more employees, "Transitional Employers," and child care employers.

12. Where can I get more information on the Pasadena Minimum Wage rate?

The current minimum wage legal notice is posted on the City of Pasadena website at:

www.cityofpasadena.net/MinimumWage

You can also call:

Code Compliance Manager Jon Pollard
(626) 744-6831

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