



COVERED EMPLOYEE LIVING WAGE FACT SHEET

Covered Vendors shall provide each Covered Employee with a copy of this fact sheet.

- 1. COVERED VENDOR:** Any for-profit or any not-for-profit employer who employs at least 25 full-time equivalents (FTEs) and who has been awarded a service contract of \$25,000 or more from the City of Boston must comply with the provisions of the Boston Jobs, Living Wage, and Prevailing Wage Ordinance (the “Ordinance”). FTE is defined in the Ordinance as a formula to calculate the number of employee work hours which equal one full-time position. For the purposes of the Ordinance, full-time shall mean the standard number of working hours, between 35 hours and 40 hours per week that is used by the Covered Vendor to determine full time employment. Please note: a Covered Vendor is distinct from a Covered Building Service Vendor, which is an employer providing building services pursuant to a covered building service contract. If you have questions about which definition applies to you, please consult the Office of Labor and Workforce Compliance.
- 2. COVERED SUBCONTRACTOR:** Any subcontractor who is awarded a subcontract of \$25,000 or more from a Covered Vendor and the subcontract is paid from the funds of the City of Boston service contract is also considered a Covered Vendor and must comply with the provisions of the Ordinance.
- 3. COVERED EMPLOYEE:** A person employed by a Covered Vendor, other than a Covered Building Service Employee, who directly expends or would directly expend his or her time on the service contract with the City of Boston or on the service subcontract. If you have a question about whether you are a Covered Employee or a Covered Building Service Employee, please consult the Office of Labor and Workforce Compliance.
- 3. LIVING WAGE:** On July 1, 2024, the living wage will rise to \$18.20 per hour for all employees who expend time on a service contract awarded by the City or the subcontract awarded from the service contract. The living wage is subject to adjustment on July 1 of each year.
- 4. OFFICE OF LABOR COMPLIANCE AND WORKER PROTECTIONS CONTACT:** All complaints and inquiries regarding the Boston Jobs, Living Wage, and Prevailing Wage Ordinance shall be directed to:

Living Wage Administrator
Office of Labor Compliance and Worker Protections
Worker Empowerment Cabinet
43 Hawkins Street
Boston, MA 02114
Phone: (617) 918-5236

- 5. COVERED EMPLOYEE COMPLAINTS:** Any person or employee who believes they are a Covered Employee or any person who is an applicant for a position to be filled by a Covered Employee who believes that their employer is not complying with requirements of the Ordinance, may file a complaint with the Living Wage Division. Complaints may also be submitted online at boston.gov/living-wage. Complaints by Covered Employees of alleged violations may be made at any time. Statements, written or oral made by an employee, shall be treated as confidential and shall not be disclosed to the Covered Vendor without the consent of the employee.

- 6. DISCRIMINATION AND RETALIATION AGAINST COVERED EMPLOYEES:** If a Covered Vendor (1) discharges, (2) reduces the compensation of, or (3) discriminates against any person for (a) making a complaint to the Office of Labor Compliance and Worker Protections, (b) otherwise asserting their rights under the Ordinance, (c) participating in any of its proceedings, or (d) using any civil remedies to enforce their rights under the Ordinance, then the Covered Vendor shall be considered in violation of the Ordinance. The Office of Labor Compliance and Worker Protections shall investigate allegations of retaliation or discrimination.
- 7. PENALTIES AND REMEDIES:** In the event that the Office of Labor Compliance and Worker Protections determines, after notice and hearing, that any Covered Vendor has failed to pay the living wage rate or has otherwise violated the provisions of this Ordinance, the Office of Labor Compliance and Worker Protections may order any or all of the following penalties and relief:
- Fines in the amount of three hundred (\$300) dollars for each Covered Employee for each day that the Covered Vendor is in violation of of the Ordinance;
 - The filing of a complaint with the pertinent state or federal agency;
 - Wage restitution for each each affected employee;
 - Suspension of ongoing contracts and subcontract payments;
 - Ineligibility for future contracts with the City for three years or until all penalties and restitution have been paid in full; and
 - Any other action deemed appropriate and with the discretion and authority of the City.
- None of the above remedies is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce the right granted under the Ordinance in a court of law. The Ordinance shall not be construed to limit an employee's right to initiate a court action for wrongful termination.
- 8. IMPORTANT TAX INFORMATION/EARNED INCOME CREDIT:** Certain employees who earn less than \$60,000 per year may be eligible for a federal and/or state tax credit called the Earned Income Tax Credit (EITC). Your employer's payroll clerk is required to keep on hand the appropriate Internal Revenue Service form (Form W-5), information and instructions in the event you request assistance in claiming this credit. For more information, call the IRS at 1 (800) TAX-1040.

THIS FORM APPROVED AS TO FORM BY CORPORATION COUNSEL 2 JUNE 2000