

2016 OA-031

AMENDING CHAPTER 25 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING THE LIVING WAGE REQUIREMENT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 25.015(1)(d) is amended to read as follows:

**(d)** *Service contract* means any contract with the county, for the provision of services to any county department or agency, ~~involving the following types of personal services: general labor, clerical work, janitorial work, security (including weapons screening), food service, human services contracts (including transportation), and personal care and home care work paid with county-administered funds for persons with disabilities and the frail elderly, whether the workers are employed directly by the consumer or by a third party.~~ The purchasing agent shall review each bid specification or request for proposals and make a determination as to whether the proposed contract will constitute a service contract. *Service contract* includes subcontracts but does not include any contract, whether or not a subcontract, which:

1. Involves only the purchase of goods;
2. Is a professional service contract;
3. Is a department of public works contract regulated under ch. 40;
4. Has a value of less than \$5,000;
5. Is a contract or lease involving use of facilities at the Dane County Exposition Center;
6. Involves services provided by student interns;
7. Involves services provided by persons with disabilities working in employment programs where the employer holds a current sub-minimum wage certificate issued by the U. S. Department of Labor or where such a certificate could be issued but for the fact that the employer is paying a wage higher than the minimum wage;
8. Is a contract in existence prior to October 23, 1999, through the duration of its term;
9. Is a department of human services contract for residential services for individual clients purchased at an established per bed rate;
10. Is a contract with a school district, a municipality or other unit of government;
11. Is a contract in which compensation is provided to a family member under a department of human services program;
12. Is a grant, project or contract as to which federal or state law imposes the obligation to pay prevailing wages; or
13. Is a grant, contract or project as to which labor agreements otherwise require the payment of a wage in excess of the living wage.

47 ARTICLE 3. Section 25.015(1)(f) is amended to read as follows:  
48 ~~(f) Living wage means an hourly wage equal to 100% of the poverty level~~  
49 ~~divided by 2080.~~

50 ~~1. The living wage shall first take effect January 1, 2000 except that it shall be~~  
51 ~~in effect as of January 1, 1999 for human services department purchase of~~  
52 ~~service providers covered by this ordinance.~~

53 ~~2. As used in this paragraph (f), poverty level means an annual income equal to~~  
54 ~~the U.S. Department of Health and Human Services' then most recently~~  
55 ~~published poverty guideline for a family of four.~~

56 ~~(f) Living wage means the following:~~

57 ~~1. For contracts entered into prior to January 1, 2017, an hourly wage equal to~~  
58 ~~100% of the poverty level divided by 2080.~~

59 ~~2. For contracts entered into after December 31, 2016, an hourly wage as~~  
60 ~~follows:~~

61 ~~a. 2017 - \$12.50.~~

62 ~~b. 2018 - \$13.00.~~

63 ~~c. 2019 - \$13.50.~~

64 ~~d. 2020 - \$14.00.~~

65 ~~e. 2021 - \$14.50~~

66 ~~f. 2022 - \$15.00~~

67 ~~g. Beginning January 1, 2023, the living wage shall be adjusted annually by the~~  
68 ~~percentage change in the June Consumer Price Index for All Urban Consumers~~  
69 ~~for the previous year.~~

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71 ARTICLE 4. Section 25.015(1)(g) is created to read as follows:

72 (g) Poverty level means an annual income equal to the U.S. Department of  
73 Health and Human Services' then most recently published poverty guideline for a  
74 family of four.

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76 ARTICLE 5. Section 25.015(2) is amended to read as follows:

77 (2) The living wage requirement set forth in this section shall apply to: This  
78 section applies to services provided pursuant to a contract or grant by:

79 (a) All employees of an employer who has entered into a service contract of  
80 \$5,000 or more, provided that this section applies only to those employees who  
81 are directly involved in providing the contracted services;

82 (b) All employees of employers who are beneficiaries of economic development  
83 assistance from the county worth \$5,000 or more, except those for construction  
84 projects subject to Wis. Stat. s. 66.0903(1m)(c); and

85 (c) The county's own employees, except those in supported employment  
86 positions.

87 (d) Tipped employees, employees paid on commission, and others whose  
88 compensation consists of more than hourly wages shall be paid an hourly wage  
89 which, when coupled with the other compensation, will at least equal the living  
90 wage.

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92 *[EXPLANATION: This amendment revises the definition of “service contract” and*  
93 *provides for a phased increase of the living wage between 2017 and 2022.]*