



## **CITY OF ALBANY CITY COUNCIL AGENDA STAFF REPORT**

Agenda Date: May 20, 2024

**SUBJECT:** City Contractor Equal Pay Act Compliance Ordinance – Second Reading – Pass to Print

**REPORT BY:** Nicole Almaguer, City Manager

---

### **SUMMARY**

The issue before the Council is the adoption of an Equal Pay Ordinance.

### **STAFF RECOMMENDATION**

That the Council adopt Ordinance No. 2024-01, amending Chapter 2 of the Albany Municipal Code by adding a new section entitled “City Contractor Equal Pay Act Compliance”.

### **BACKGROUND**

On April 1, 2024, Vice Mayor López and Council Member Tiedemann provided a memorandum requesting the Council direct staff to prepare an Equal Pay Ordinance that codifies pay parity across genders for contractors/vendors under contractual agreement with the City of Albany. The City Council unanimously approved this request.

On May 6, 2024, Ordinance No. 2024-01 was introduced for first reading by the City Council.

### **DISCUSSION**

The proposed Ordinance incorporates requirements that have been established regarding equal pay, prohibiting an employer from paying any of its employees wage rates less than the wage rates paid to employees of another gender, race or ethnicity for equal or substantially similar work per the California Equal Pay Act and Fair Pay Act, which are codified in California Labor Code section 1197.5.

The Ordinance is intended to provide a mechanism for the City to determine whether those under contract to provide services to the City are in compliance with the requirements of the Equal Pay Act and Fair Pay Act. All entities entering into a contract with the City will be required to certify in writing that they will comply with the requirements of the California Equal Pay Act and Fair Pay Act. Further, violations will be addressed and can constitute a

material breach of the applicable contract, with authority by the City to cancel, terminate, or suspend the contract.

### **SUSTAINABILITY CONSIDERATIONS**

N/A.

### **SOCIAL EQUITY AND INCLUSIVITY CONSIDERATIONS**

As provided by Vice Mayor López and Council Member Tiedemann, ensuring codified protection for equity in pay, regardless of gender, ethnic background, or race, advances the City's equity goals.

### **CITY COUNCIL STRATEGIC PLAN INITIATIVES**

The proposed Ordinance helps further the City Council Strategic Plan, Goal 4: Encourage Community Connectivity through Diversity, Equity & Inclusivity.

### **FINANCIAL CONSIDERATIONS**

The proposed Ordinance will be implemented and administered with existing staff resources and should not require additional funding that is not already incorporated into the City Operating Budget.

### **Attachment**

1. Ordinance No. 2024-01