

ATTACHMENT "A"

RESOLUTION NO. 2006-18

A RESOLUTION OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING A POLICY TO REQUIRE THAT THE CITY PAY TO ITS CITY EMPLOYEES NOT LESS THAN A LIVING WAGE / MINIMUM WAGE AND ESTABLISHING A POLICY TO REQUIRE CONTRACTORS WITH THE CITY TO PAY TO THEIR LABORERS, MECHANICS, SUBCONTRACTORS, EMPLOYEES, AGENTS, AND ASSIGNS THE CITY-ESTABLISHED LIVING WAGE / MINIMUM WAGE; PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, more than one hundred (100) cities and counties throughout the United States have established a living wage for their communities; and

WHEREAS, one of the purposes of establishing such wage is to assist is employees in obtaining and maintaining a reasonable standard of living; and

WHEREAS, City employees and persons contracting with the City are supported by tax dollars from the community which tax dollars should reflect the values of the community; and

WHEREAS, it is the desire of the Council to use City funds to promote the creation of a livable wage which, in turn, is designed to increase the ability of City employees and those who contract with the City to obtain sustenance, decrease the amount of poverty, and to reduce the amount of tax payer funded social services within the community; and

WHEREAS, as an extension of this City value, the Council wishes to contract with only those persons and/or entities who will pay at least the City-established living wage / minimum wage to their laborers, mechanics, subcontractors, employees, agents, and assigns who perform services on such City contracts; and

WHEREAS, an additional intent of the City, through this Resolution, is to require that a clause be placed in all appropriate contracts of the City to require the establishment and payment of such City-established living wage / minimum wage; and

WHEREAS, the Council invites and encourages all employers in the community to establish employee compensation that reflects a wage that can cover basic living expenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow, Idaho as follows:

I. City to pay its employees the City-established living wage / minimum wage.

A. The City hereby adopts, as a permanent and continuing policy of the City, a City living wage / minimum wage to be paid to each and every employee, as established by the following formula, unless specifically exempted by this Resolution:

The current Federal minimum wage rate or a specific living wage / minimum wage established by separate Resolution of the Council, whichever is greater.

B. This policy applies to every covered, non-exempt Fair Labor Standard Act (FLSA) worker, as those terms are defined in the FLSA, who works forty (40) hours or more per week for the City of Moscow, Idaho but this policy shall not apply to part-time and/or seasonal City employees.

C. Nothing in this policy is intended to or shall be considered to alter the employment status of any City employee who is exempt from hourly calculation of wage according to FLSA rules and regulations.

D. Nothing in this policy is intended to or shall act as an alteration of any guidelines or standards established by City of Moscow Personnel Policies.

II. Contractors to pay City-established living wage / minimum wage.

A. Unless exempted by Section II.B of this Resolution, all who contract with the City shall pay to all of their laborers, mechanics, subcontractors, employees, agents, and assigns who perform services for the City on such a contract, employed full time, at least the City living wage / minimum wage established in Section I.A of this Resolution.

B. Exemption from payment of the City established living wage / minimum wage pursuant to this policy shall be only as follows:

1. Where the contracting business employs fewer than ten (10) full time employees;
2. When the contracting business is a non-profit organization or institution;
3. Where the contract is primarily for the provision of goods;
4. Where the services contract has a total value reasonably expected to be less than twenty five thousand dollars (\$25,000); or
5. Where a specific exemption from this policy is granted by a majority vote of the Council.

C. The following clause shall be added to any contract the City makes with any and all contractors:

Payment of City Established Living Wage / Minimum Wage Required.

As a condition of this Agreement, (name of contractor) shall pay to all laborers, mechanics, subcontractors, employees, agents, and assigns who perform services for City pursuant to this Agreement, working full time, the living wage / minimum wage established by Resolution 2006-18 or as established by duly adopted Resolution of the Moscow, Idaho City Council, whichever is greater, during the pendency of this Agreement.

Such City living wage / minimum wage shall be that in effect on the date of execution of this Agreement.

Failure to pay such living wage / minimum wage shall be considered to be a breach of this Agreement.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of _____, 2006.

Nancy Chaney, Mayor

ATTEST:

Stephanie Kalasz, City Clerk