

AGENDA
LIVING WAGE ADVISORY BOARD MEETING
February 6, 2019 - 11:00 a.m.
Room 302

- I. Call to Order and roll call.
- II. Introductions as necessary.
- III. Approval of December 5, 2018 minutes.
- IV. Staff updates to report.
- V. Updates from Board members on meetings with Commissioners regarding the Living Wage.
- VI. Discussion and instruction to staff.
- VII. Adjourn.

MINUTES
LIVING WAGE ADVISORY BOARD MEETING
Wednesday, December 5, 2018 - 11:00 a.m.

Living Wage Advisory Board Members Present:

Zac Cassidy, Chair
Mark Klein, Board Member
Frank De Risi, Board Member
Mike D. Payne, Board Member

Living Wage Advisory Board Members Absent:

James Ryan, Vice Chair
Chester Just, Board Member

County Staff Present:

Glenn Marcos, Assistant Director, Purchasing Division
Connie Mangan, Purchasing Manager, Purchasing Division
Shelia Pitts-Howard, Administrative Officer, Senior, Purchasing Division
Alex Francis, Administrative Officer, Purchasing Division
Lucy Garcia, Minutes Coordinator, Purchasing Division
Fernando Amuchastegui, Assistant County Attorney

- I. The Minutes Coordinator, Lucy Garcia called the meeting to order at 11:10 a.m. Roll call was conducted by Lucy Garcia and it was noted a quorum was present.
- II. Introductions were made by Advisory Board members and County staff. In addition, a LWAB member, Mike Payne, invited a guest who attended the meeting as a follow-up: Joy Smith, an Airport Employee for Menzies Aviation, at Fort Lauderdale Hollywood International Airport. A copy of the agenda and minutes were provided to the guest speaker.
- III. **A motion was made by Mark Klein, seconded by Frank De Risi and unanimously passed to accept the October 3, 2018 minutes.**
- IV. Staff Updates:
 - A. Connie Mangan briefly discussed the Living Wage Contracts Reports for the October, 2018 – November, 2018 reporting period. There was one living wage contract awarded in October, 2018 – November, 2018.
 - B. The report provided by HR, will be addressed at the next meeting, if applicable.
- V. Updates from Board members on meetings with Commissioners regarding the Living Wage:
 - A. There were no updates from the Advisory Board members provided at this time.
- VI. Discussion:
 - A. Glenn Marcos provided an update on the ongoing activity and discussions regarding increasing the Living Wage rates. The item will be further discussed at the December 11, 2018 Commission Meeting. The Commission Board (“the Board”) is still discussing the increase of the Living Wage rate to \$13.27. The Board has not made an official vote on this rate yet. The Board continues to debate on the healthcare differential and they are looking at that rates of \$2.50, \$3.17 and \$3.44; which will be on the table for discussion at the 12/11/18 meeting.
 - B. Mike Payne introduced Joy Smith, employee of Menzies Aviation, who was asked by the Advisory Board Members at the October 3rd meeting to return and provide a follow-up on her discussion with Professional Standards regarding her previously filed complaint related to issues with her employer, Menzies Aviation and United Service Workers Union.

Ms. Smith attempted to file a new complaint and follow-up on her previously submitted complaint with Professional Standards. She was able to meet with Rhonda Wiltshire, Equal Opportunity Officer, from Professional Standards, who advised Ms. Smith that she would be handling her case. Professional Standards provided Ms. Smith with a case number and Ms. Smith provided them with all applicable documentation. Since that meeting, she followed-up via email, provided additional information and was then advised by Ms. Wiltshire that she would be conferring with her supervisor regarding Ms. Smith’s case. Ms. Smith has not received any further updates. Ms. Smith also reiterated to the Advisory Board members the healthcare options issues she had with her employer and the misrepresentation of the union representative.

Glenn Marcos clarified for the record that the Advisory Board members had previously agreed during the October 3rd meeting, that Ms. Smith's issues were not within the purview of the Advisory Board. Also, it was determined in that same discussion, that Ms. Smith was in fact receiving the living wage rate of \$12.38. Glenn also shared that there were several members of the United Service Workers Union present at the October 2nd Commission Board Meeting and during the discussion at that Board meeting, it appears that the Union was providing adequate benefits.

The Advisory Board members and staff agreed that the best course of action for Ms. Smith is to provide all further documentation to Professional Standards and continue to communicate with that office on updates regarding her case until they provide her with a determination or steer her in the right direction. Unfortunately, the employer and union issues being identified by Ms. Smith are considered not to be living wage related and therefore cannot be addressed by this Advisory Board. Mike Payne suggested she reach out to Wage Theft Recovery regarding her issue on working 40 hours and only getting paid for 35 hours by her employer.

- C. Frank De Risi asked staff, if the Living Wage rate increases to \$13.27, and the differential for the healthcare increases also, will the loophole the Advisory Board has been discussing get worse? Is that a correct conclusion? Staff advised the Advisory Board members that there may be a discussion regarding the previously identified loophole at the upcoming Commission Meeting. There have been changes to the healthcare plans. The Advisory Board members may review the two posted ordinances scheduled for Board discussion, at the December 11th meeting, by visiting the website at <http://www.broward.org/Commission/Meetings/Pages/AgendasAndMinutes.aspx>. Advisory Board members were informed that they can also confer with their respective Commissioners. The Advisory Board members agree that this is a step in the right direction regarding their concerns on the loophole issues and they will wait to see what is actually addressed at the Commission Board meeting.

Instruction to Staff:

- A. There was no further instruction given to Staff at this meeting.

VII. There being no further business before the Board, the meeting adjourned at 11:45 a.m.

This meeting was recorded on CD 18-SC-91 (Sony IC Recorder).

Hand-Outs at the 12/5/18 Meeting:

1. Updated Living Wage Contracts Report.
2. Attendance Record.
3. Schedule of Living Wage Advisory Board Meetings for 2019.



Broward County Living Wage Ordinance: New Living Wage Contracts (Effective for the Period December to January 2019)

Item:	Bid/RL/ RFP No.:	Description/ Title:	Vendor/ Contractor Name:	Award Date:	Effective Date:	New Estimated Contract Value Annual:	Previous Estimated Contract Value	Comments:	Reporting Exemption:	Contract increases	
									Living Wage	Scope Changes	
	BLD2116617B1	Fire Hydrant Maintenance and Repair Services	Madsen/Barr Corporation	1/29/2019	1/29/2019	\$538,597	\$442,772	Reserved solicitation for certified County Business Enterprises (CBE). For Water and Wastewater Services and other various County agencies , in the annual estimated amount of \$538,597, renew the contract for two one-year periods, for a three-year potential estimated amount of \$1,615,793. Hydromax USA, LLC; Contract Number and Title: Y1330801B2, Fire Hydrant Service and Repair; Contract Term: August 11, 2015 through August 10, 2018; Expenditures to date: \$342,597.40	Yes	No	No
	BLD2117085B1	Building Automation System Maintenance	Johnson Controls Inc. (JCI)	1/8/2019	1/8/2019	\$197,339	\$173,090	Johnson Controls is standardized item for FLL (JCI is the only authorized firm to perform maintenance of Johnson Control systems).Previous contract, Contract No. Z1372204Q1, was utilized for price comparison - JCI confirmed the increase in price for Line Item 1 - was due to the increase of control panels at FLL since 2015.	Yes	No	No



YOUR RIGHTS UNDER THE BROWARD COUNTY LIVING WAGE ORDINANCE

In accordance with the Living Wage Ordinance, Section 26.102, Broward County Code of Ordinances, Broward County service contractors' employees and subcontractors performing covered services pursuant to applicable County contracts must be paid at least the following living wage hourly rates:

For contracts entered into prior to January 1, 2019 ^(a)	For contracts renewed, extended, amended, or entered into on or after January 1, 2019
\$12.60 per hour with qualifying health benefits amounting to at least \$1.63^(b) per hour, or \$14.23^(b) per hour without health benefits	\$13.27 per hour with qualifying health benefits amounting to at least \$1.63^(b) per hour, or \$14.90^(b) per hour without health benefits

- (a) Contracts entered into prior to January 1, 2019, may not be renewed, extended, or amended without applying the higher living wage rate application to contracts entered into on or after January 1, 2019.
- (b) The qualifying health benefits amount is subject to change if modified by the Broward County Board of County Commissioners.

Notice: The living wage rates and health benefit amount are indexed in accordance with Section 26.102(e) of the Living Wage Ordinance.

Applicable covered services provided pursuant to a County service contract (exceeding \$100,000/year) include:

- Food preparation and/or distribution
- Security services
- Routine maintenance services: janitorial, cleaning, refuse removal, and recycling collections, or similar services
- Repair and refinishing services: for furniture, fixtures, vehicles, machinery, or equipment, including preventative maintenance and replacement of parts
- Clerical or other non-supervisory office work (temporary or permanent personnel): secretarial, typing, data entry, filing, transcription, specialized billing, sorting/completion of forms, and word, data and informational processing
- Passenger transportation and automobile parking services
- Printing and reproduction services
- Landscaping, lawn, and/or agricultural services

Applicable covered airport services pursuant to a County service contract (any contract value) include:

- Food and beverage concessionaire services and certain retail concessionaire services at Airport Terminals Complex and the Car Rental Center.
- Airline service providers for air carriers: ground handling or ramp services; ground equipment provisioning and maintenance; maintenance; in-to-plane fuel service; passenger service; porter service; janitorial service; security service; baggage delivery service; aircraft cleaning; or operation of a private club.

ENFORCEMENT

If a service contractor is not complying with the living wage requirements, a covered employee or subcontractor of a service contractor may seek to recover back wages against the responsible service contractor by filing a written complaint with the County or filing suit against the covered employer.

A covered employee or subcontractor may file written complaints of underpayment or retaliation/discrimination (in connection with the filing of living wage complaint), with the Broward County Professional Standards/Human Rights Section, 115 S. Andrews Avenue, Room 427, Fort Lauderdale, FL 33301, or call (954) 357-6500.

SANCTIONS

Damages payable to Broward County in the sum of up to \$500 per day, but not to exceed \$1000 per week for each covered employee, may be assessed against the service contractor for failure to pay the required wage rates above in addition to payment of the underpaid wages to the employee.

For other information, contact the applicable Contract Administrator or the Broward County Purchasing Division, 115 S. Andrews Ave., Room 212, Fort Lauderdale, Florida 33301, (954) 357-6066.

The Living Wage Ordinance requires service contractors awarded living wage contracts to display this poster at the job site in a prominent location where it can easily be seen by employees.

Advisory Board Attendance Record

Board Name:	Living Wage Advisory Board												
Board Coordinator Name:	Lucy Garcia												
Coordinator Contact #:	(954) 357-6071												
Meeting Dates:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year End Status
	N/A	7	N/A	4	N/A	6	N/A	1	N/A	3	N/A	5	
Member Name													
Zac Cassidy, Chair		X		NQX		X		A		X		X	
James Ryan, Vice Chair		X		NQX		E		X		X		A	
Mike "D" Payne		X		NQA		A		X		X		X	
Frank De Risi		X		NQX		X		X		X		X	
Mark Klein		A		NQA		X		E		X		X	
Chester Just		X		NQE		X		X		X		E	
John Hillman (resigned)		Z											

After each meeting, email a copy of *this attendance record* to boards@broward.org. If you have any questions, please call the County Boards Administrator at 954-357-5934.

Legend:

- X - present
- A - absent
- E - excused
- NQA - no quorum absent
- NQX - no quorum present
- N - newly appointed
- Z - removed
- C - cancelled

2019
LIVING WAGE ADVISORY BOARD MEETINGS

(These are the bi-monthly meetings (First Wednesday of the month) for 2019)

FEBRUARY 6, 2019

APRIL 3, 2019

JUNE 5, 2019

AUGUST 7, 2019

OCTOBER 2, 2019

DECEMBER 4, 2019