

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0145

Introduced by: The Council President
At the request of: The Administration (Wage Commission)
Introduced and read first time: July 21, 2008
Assigned to: Taxation, Finance and Economic Development Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 6, 2008

AN ORDINANCE CONCERNING

Minimum, Prevailing, and Living Wages – Penalties

FOR the purpose of modifying the penalties applicable to violations of certain hour and wage laws; clarifying, correcting, and conforming related language; and generally relating to enforcement of the laws governing minimum, prevailing, and living wages.

BY repealing and reordaining, with amendments
Article 5 - Finance, Property, and Procurement
Section(s) 25-11(b) and 26-11(b)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 11 - Labor and Employment
Section(s) 6-2
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 25. Hours and Wages - Construction Contracts

§ 25-11. Required records - Delinquencies.

(b) *Fines.*

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 [(1)] In addition, if the contractor is delinquent in submitting [his or any of the
2 subcontractors' payrolls] ANY PAYROLL, the contractor shall forfeit and pay to the City a
3 penalty [in the amount] of \$10 for each calendar day that the [weekly] payroll is late.

4 [(2) A weekly payroll shall mean the combined payrolls of the contractor and all of his
5 subcontractors in any 1 work week.]

6 **Subtitle 26. Hours and Wages - Service Contracts**

7 **§ 26-11. Required records - Delinquencies.**

8 (b) *Fines.*

9 [(1)] In addition, if the contractor is delinquent in submitting [payrolls] ANY PAYROLL,
10 the [service] contractor shall forfeit and pay to the City a penalty [in the amount] of \$10
11 for each calendar day that the payroll is late.

12 [(2) A payroll shall mean the combined payrolls of the contractor and all subcontractors
13 in any 1 pay period.]

14 **Article 11. Labor and Employment**

15 ***Division I. Minimum Wage Law***

16 **Subtitle 6. Penalties and Fines**

17 **§ 6-2. Fines.**

18 Any employer or employee who violates this Division I shall forfeit and pay to the City of
19 Baltimore a penalty [in the amount of] AS FOLLOWS:

20 (1) FOR A 1ST OFFENSE, [\$50] \$250 for each violation [for a 1st offense];

21 (2) FOR A 2ND OFFENSE, [\$250] \$500 for each violation [for a 2nd offense]; and

22 (3) FOR EACH SUBSEQUENT OFFENSE, [\$500] \$1,000 for each violation [thereafter].

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
24 are not law and may not be considered to have been enacted as a part of this or any prior
25 Ordinance.

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
27 after the date it is enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City