

**CITY OF BALTIMORE
COUNCIL BILL 08-0145
(First Reader)**

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

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Wage Commission, Department of Finance, Minority and Women's Business Opportunity Office

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Minimum, Prevailing, and Living Wages – Penalties**

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

6 BY repealing and reordaining, with amendments

7 Article 5 - Finance, Property, and Procurement
8 Section(s) 25-11(b) and 26-11(b)
9 Baltimore City Code
10 (Edition 2000)

11 BY repealing and reordaining, with amendments

12 Article 11 - Labor and Employment
13 Section(s) 6-2
14 Baltimore City Code
15 (Edition 2000)

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

18 **Baltimore City Code**

19 **Article 5. Finance, Property, and Procurement**

20 **Subtitle 25. Hours and Wages - Construction Contracts**

21 **§ 25-11. Required records - Delinquencies.**

22 (b) *Fines.*

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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

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

4 **§ 26-11. Required records - Delinquencies.**

5 (b) *Fines.*

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

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

11 **Article 11. Labor and Employment**

12 ***Division I. Minimum Wage Law***

13 **Subtitle 6. Penalties and Fines**

14 **§ 6-2. Fines.**

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

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

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

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

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

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