

**AMENDMENTS TO COUNCIL BILL 25-0116
(1st Reader Copy)**

By: Labor and Workforce Committee
{To be offered on the Council floor}

Amendment No. 1

On page 1, in line 2, strike “**Officers**” and substitute “**Guards**”; and, on that same page, in line 6, strike “officers.” and substitute “guards.”; and, on that same page, in line 18, strike “**WORKERS.**” and substitute “**GUARDS.**”; and, on page 3, in line 9, strike “*OFFICER.*” and substitute “*GUARD.*”; and, on that same page, in line 21, strike “OFFICER” and substitute “GUARD”; and, on page 4, in line 3, strike “OFFICER” and substitute “GUARD”; and, on page 5, in line 5, strike “**WORKERS.**” and substitute “**GUARDS.**”; and, on that same page, in line 13, strike “OFFICER,” and substitute “GUARD.”; and, on page 6, in line 5, strike “OFFICERS” and substitute “GUARDS”; and, on that same page, in line 11, strike “OFFICER” and substitute “GUARD”; and, on that same page, in line 17, strike “*OFFICER.*” and substitute “*GUARD.*”; and, on that same page, in line 29, strike “OFFICER” and substitute “GUARD”; and, on page 7, in lines 7 and 31, in each instance, strike “OFFICER” and substitute “GUARD”; and, on page 8, in line 3, strike “OFFICER” and substitute “GUARD”.

Amendment No. 2

Strike beginning with line 1 on page 2 down through and including line 5 on page 3; and, on page 3, in lines 6, 9, and 25, respectively, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; and, on page 4, strike beginning with “THAN” in line 4 down through and including “(I)” in line 5 and substitute “THAN.”; and, on that same page, in line 12, strike “CITY; OR” and substitute “CITY.”; and, on that same page, strike in their entirety lines 13 through 15.

Amendment No. 3

On page 3, strike in their entirety lines 11 through 19 and substitute:

““COVERED SECURITY GUARD” MEANS ANY INDIVIDUAL EMPLOYED IN BALTIMORE CITY BY A COVERED SECURITY EMPLOYER WHO PRINCIPALLY PERFORMS 1 OR MORE OF THE FOLLOWING FUNCTIONS:

(A) PROTECTS INDIVIDUALS OR PROPERTY FROM HARM, THEFT, OR OTHER UNLAWFUL ACTIVITY;

(B) DETERS, OBSERVES, DETECTS, OR REPORTS INCIDENTS IN ORDER TO PREVENT ANY UNLAWFUL OR UNAUTHORIZED ACTIVITY, INCLUDING UNLAWFUL OR UNAUTHORIZED INTRUSION OR ENTRY, LARCENY, VANDALISM, ABUSE, ARSON, OR TRESPASS ON PROPERTY; OR

(C) RESPONDS TO A TRIGGERED SECURITY SYSTEM ALARM IN ORDER TO PREVENT OR DETECT UNAUTHORIZED INTRUSION, ROBBERY, BURGLARY, THEFT, PILFERAGE, AND OTHER LOSSES OR TO MAINTAIN SECURITY OF A PROTECTED PREMISES.”;

and, on that same page, strike in their entirety lines 26 and 27 and substitute:

““COVERED SECURITY EMPLOYER” MEANS ANY PERSON, FIRM, LIMITED LIABILITY COMPANY, CORPORATION, PUBLIC ENTITY OR SUBSIDIARY OR DEPARTMENT OF SUCH FIRM, LIMITED LIABILITY COMPANY, CORPORATION, OR PUBLIC ENTITY EMPLOYING 2 OR MORE COVERED SECURITY GUARDS OR INDIVIDUALS BEING SELF-EMPLOYED AS A SECURITY GUARD ON EITHER A PROPRIETARY BASIS FOR ITS OWN USE OR ON A CONTRACTUAL BASIS FOR USE BY ANOTHER PERSON, FIRM, LIMITED LIABILITY COMPANY, CORPORATION, PUBLIC ENTITY OR SUBSIDIARY THEREOF WITHIN THE CITY.”; and

on page 6, strike in their entirety lines 19 through 27 and substitute:

““COVERED SECURITY GUARD” MEANS ANY INDIVIDUAL EMPLOYED IN BALTIMORE CITY BY A COVERED SECURITY EMPLOYER WHO PRINCIPALLY PERFORMS 1 OR MORE OF THE FOLLOWING FUNCTIONS:

(A) PROTECTS INDIVIDUALS OR PROPERTY FROM HARM, THEFT, OR OTHER UNLAWFUL ACTIVITY;

(B) DETERS, OBSERVES, DETECTS, OR REPORTS INCIDENTS IN ORDER TO PREVENT ANY UNLAWFUL OR UNAUTHORIZED ACTIVITY, INCLUDING UNLAWFUL OR UNAUTHORIZED INTRUSION OR ENTRY, LARCENY, VANDALISM, ABUSE, ARSON, OR TRESPASS ON PROPERTY; OR

(C) RESPONDS TO A TRIGGERED SECURITY SYSTEM ALARM IN ORDER TO PREVENT OR DETECT UNAUTHORIZED INTRUSION, ROBBERY, BURGLARY, THEFT, PILFERAGE, AND OTHER LOSSES OR TO MAINTAIN SECURITY OF A PROTECTED PREMISES.”;

and, on page 7, strike in their entirety lines 3 and 4 and substitute:

““COVERED SECURITY EMPLOYER” MEANS ANY PERSON, FIRM, LIMITED LIABILITY COMPANY, CORPORATION, PUBLIC ENTITY OR SUBSIDIARY OR DEPARTMENT OF SUCH FIRM, LIMITED LIABILITY COMPANY, CORPORATION, OR PUBLIC ENTITY EMPLOYING 2 OR MORE COVERED SECURITY GUARDS OR INDIVIDUALS BEING SELF-EMPLOYED AS A SECURITY GUARD ON EITHER A PROPRIETARY BASIS FOR ITS OWN USE OR ON A CONTRACTUAL BASIS FOR USE BY ANOTHER PERSON, FIRM, LIMITED LIABILITY COMPANY, CORPORATION, PUBLIC ENTITY OR SUBSIDIARY THEREOF WITHIN THE CITY.”.

Amendment No. 4

On page 3, after line 27, insert:

“(5) MINIMUM COMPENSATION.

(I) IN GENERAL.

“MINIMUM COMPENSATION” MEANS THE COMPENSATION AMOUNT A COVERED SECURITY EMPLOYER IS REQUIRED TO PAY TO A COVERED SECURITY GUARD PURSUANT TO THIS SECTION.

(II) EXCLUSIONS.

“MINIMUM COMPENSATION” DOES NOT INCLUDE ALL OTHERWISE LEGALLY-REQUIRED BENEFITS, WITH THE EXCEPTION OF:

(A) FEDERAL HOLIDAYS; AND

(B) THE SUPPLEMENT BENEFIT RATE REQUIRED BY § 3-1604(A)(2)(II) OF THE STATE LABOR AND EMPLOYMENT ARTICLE.”;

and, on page 4, in line 1, strike “*COMPENSATION*” and substitute “*MINIMUM COMPENSATION*”; and, on that same page, in line 3, after the first instance of “THE” insert “MINIMUM”; and, on that same page, in line 17, after the second instance of “THE” insert “MINIMUM”; and, on that same page, in line 20, after “THE” insert “MINIMUM”; and, on that same page, in line 23, after the second instance of “THE” insert “MINIMUM COMPENSATION”; and, on page 7, after line 4, insert:

“(7) MINIMUM COMPENSATION.

(I) IN GENERAL.

“MINIMUM COMPENSATION” MEANS THE COMPENSATION AMOUNT A COVERED SECURITY EMPLOYER IS REQUIRED TO PAY TO A COVERED SECURITY GUARD PURSUANT TO THIS SECTION.

(II) EXCLUSIONS.

“MINIMUM COMPENSATION” DOES NOT INCLUDE ALL OTHERWISE LEGALLY-REQUIRED BENEFITS, WITH THE EXCEPTION OF:

(A) FEDERAL HOLIDAYS; AND

(B) THE SUPPLEMENT BENEFIT RATE REQUIRED BY § 3-1604(A)(2)(II) OF THE STATE LABOR AND EMPLOYMENT ARTICLE.”;

and, on that same page, in line 5, strike “*COMPENSATION*” and substitute “*MINIMUM COMPENSATION*”; and, on that same page, in line 7, after the first instance of “THE” insert “MINIMUM”; and, on that same page, in line 21, after the second instance of “THE” insert “MINIMUM”; and, on that same page, in line 24, after “THE” insert “MINIMUM”; and, on that same page, in line 27, after the second instance of “THE” insert “MINIMUM COMPENSATION”; and, on that same page, in line 31, after “THE” insert “MINIMUM”; and, on page 8, in line 3, after “THE” insert “MINIMUM”; and, on that same page, in line 9, after “the” insert “minimum”.

Amendment No. 5

On page 4, in line 17, strike “COMMISSION” and substitute “COMMISSION, WITH THE ASSISTANCE OF THE OFFICE OF EQUITY AND CIVIL RIGHTS,”; and, on that same page, in line 23, strike “WAGE COMMISSION” and substitute “OFFICE OF EQUITY AND CIVIL RIGHTS”; and, on page 7, in line 21, strike “COMMISSION” and substitute “COMMISSION, WITH THE ASSISTANCE OF THE OFFICE OF EQUITY AND CIVIL RIGHTS,”; and, on that same page, in line 27, strike “WAGE COMMISSION” and substitute “OFFICE OF EQUITY AND CIVIL RIGHTS”.

Amendment No. 6

On page 6, in lines 5 and 6, strike “AT A COMMERCIAL OFFICE BUILDING THAT IS:” and substitute “IN THE CITY,”; and, on that same page, strike in their entirety lines 7 and 8; and, on that same page, in line 11, strike “AT A COMMERCIAL OFFICE BUILDING THAT IS:” and substitute “IN THE CITY,”; and, on that same page, strike in their entirety lines 12 and 13.

Amendment No. 7

On page 8, after line 4, insert:

“(F) EMPLOYER TO DISPLAY.

(1) IN GENERAL.

UPON THE TAKING EFFECT OF THE COMPENSATION DETERMINATION UNDER THIS SECTION, A COVERED SECURITY EMPLOYER SHALL POST A SIGN, MEASURING AT LEAST 3 BY 5 INCHES IN SIZE, THAT INCLUDES:

- (I) THE REQUIRED COMPENSATION AMOUNT;
- (II) A CITATION OF THE APPLICABLE SECTIONS OF CITY CODE; AND
- (III) THE CONTACT INFORMATION FOR THE WAGE COMMISSION.

(2) LOCATION.

THE COVERED SECURITY EMPLOYER SHALL POST THE SIGN REQUIRED UNDER THIS SUBSECTION:

- (I) IN CLEAR VIEW OF EMPLOYEES; AND
- (II) WHERE SIMILAR NOTICES ARE CUSTOMARILY POSTED.

(3) OECR TO POST.

THE OFFICE OF EQUITY AND CIVIL RIGHTS SHALL COMPILE AND POST ON THE CITY'S WEBSITE A PRINTABLE VERSION OF THE SIGN REQUIRED UNDER THIS SUBSECTION."

Amendment No. 8

On page 8, after line 4, insert:

"(G) ANNUAL REPORT.

ON OR BEFORE JULY 1 OF EACH YEAR, THE OFFICE OF EQUITY AND CIVIL RIGHTS SHALL SUBMIT A REPORT TO THE MAYOR AND CITY COUNCIL THAT INCLUDES:

(I) THE NEWLY-DETERMINED AVERAGE PER-EMPLOYEE TOTAL BENEFIT RATE; AND

(II) THE NEWLY-DETERMINED AVERAGE PER-EMPLOYEE WAGE RATE."

Amendment No. 9

On page 8, before line 5, insert:

"SECTION 3. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 11. Labor and Employment

Division I. Minimum Wage Law

Subtitle 3. Wage Requirements

§ 3-9. SECURITY GUARDS.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) COMPENSATION.

“COMPENSATION” MEANS ANY COMBINATION OF WAGES, BENEFITS, AND PAID TIME OFF.

(3) COVERED SECURITY GUARD.

(I) IN GENERAL.

“COVERED SECURITY GUARD” MEANS ANY INDIVIDUAL EMPLOYED IN BALTIMORE CITY BY A COVERED SECURITY EMPLOYER WHO PRINCIPALLY PERFORMS 1 OR MORE OF THE FOLLOWING FUNCTIONS:

(A) PROTECTS INDIVIDUALS OR PROPERTY FROM HARM, THEFT, OR OTHER UNLAWFUL ACTIVITY;

(B) DETERS, OBSERVES, DETECTS, OR REPORTS INCIDENTS IN ORDER TO PREVENT ANY UNLAWFUL OR UNAUTHORIZED ACTIVITY, INCLUDING UNLAWFUL OR UNAUTHORIZED INTRUSION OR ENTRY, LARCENY, VANDALISM, ABUSE, ARSON, OR TRESPASS ON PROPERTY; OR

(C) RESPONDS TO A TRIGGERED SECURITY SYSTEM ALARM IN ORDER TO PREVENT OR DETECT UNAUTHORIZED INTRUSION, ROBBERY, BURGLARY, THEFT, PILFERAGE, AND OTHER LOSSES OR TO MAINTAIN SECURITY OF A PROTECTED PREMISES.

(II) EXCLUSIONS.

“COVERED SECURITY GUARD” DOES NOT INCLUDE:

(A) A MARINE GUARD OR SHIP WATCHMAN, REGARDLESS OF WHETHER THE GUARD OR WATCHMAN IS STATIONED ABOARD A SHIP OR ON A PIER; OR

(B) AN UNARMED EMPLOYEE OF A BAR, TAVERN, OR RESTAURANT.

(4) COVERED SECURITY EMPLOYER.

“COVERED SECURITY EMPLOYER” MEANS ANY PERSON, FIRM, LIMITED LIABILITY COMPANY, CORPORATION, PUBLIC ENTITY OR SUBSIDIARY OR DEPARTMENT OF SUCH FIRM, LIMITED LIABILITY COMPANY, CORPORATION, OR PUBLIC ENTITY EMPLOYING 2 OR MORE COVERED SECURITY GUARDS OR INDIVIDUALS BEING SELF-EMPLOYED AS A SECURITY GUARD ON EITHER A PROPRIETARY BASIS FOR ITS OWN USE OR ON A CONTRACTUAL BASIS FOR USE BY ANOTHER PERSON, FIRM, LIMITED LIABILITY COMPANY, CORPORATION, PUBLIC ENTITY OR SUBSIDIARY THEREOF WITHIN THE CITY.

(5) MINIMUM COMPENSATION.

(I) IN GENERAL.

“MINIMUM COMPENSATION” MEANS THE COMPENSATION AMOUNT A COVERED SECURITY EMPLOYER IS REQUIRED TO PAY TO A COVERED SECURITY GUARD PURSUANT TO THIS SECTION.

(II) EXCLUSIONS.

“MINIMUM COMPENSATION” DOES NOT INCLUDE ALL OTHERWISE LEGALLY-REQUIRED BENEFITS, WITH THE EXCEPTION OF:

(A) FEDERAL HOLIDAYS; AND

(B) THE SUPPLEMENT BENEFIT RATE REQUIRED BY § 3-1604(A)(2)(II) OF THE STATE LABOR AND EMPLOYMENT ARTICLE.

(B) MINIMUM COMPENSATION DETERMINATION.

(1) IN GENERAL.

THE MINIMUM COMPENSATION AMOUNT FOR A COVERED SECURITY GUARD IN THE CITY MAY NOT BE LESS THAN, FOR THE GUARD 1 CLASSIFICATION ESTABLISHED BY THE UNITED STATES SECRETARY OF LABOR PURSUANT TO CHAPTER 67 OF 41 U.S.C. § 6701 ET SEQ., AS AMENDED, THE COMBINED VALUE OF THE MINIMUM WAGE RATE, HEALTH AND WELFARE RATE, AND PAID VACATION AND HOLIDAYS RATES SET FORTH IN THE LOCALITY WAGE DETERMINATION ISSUED BY THE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION OF THE EMPLOYMENT STANDARDS DIVISION OF THE U.S. DEPARTMENT OF LABOR FOR THE AREA THAT INCLUDES THE CITY.

(2) DETERMINATION BY WAGE COMMISSION.

THE WAGE COMMISSION, WITH THE ASSISTANCE OF THE OFFICE OF EQUITY AND CIVIL RIGHTS, SHALL ANNUALLY DETERMINE THE MINIMUM COMPENSATION AMOUNT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION BY JULY 1 OF EACH YEAR.

(3) EFFECTIVE DATE.

THE MINIMUM COMPENSATION AMOUNT ESTABLISHED UNDER THIS SUBSECTION SHALL BE EFFECTIVE THE FOLLOWING YEAR FROM JANUARY 1 THROUGH DECEMBER 31.

(C) POSTING REQUIREMENT.

THE OFFICE OF EQUITY AND CIVIL RIGHTS SHALL POST THE MINIMUM COMPENSATION DETERMINATION MADE UNDER SUBSECTION (B) OF THIS SECTION ON THE CITY'S WEBSITE NO LATER THAN JULY 1 OF EACH YEAR.

(D) COVERED SECURITY EMPLOYER REQUIREMENT.

SUBJECT TO THE OTHER PROVISIONS OF THIS DIVISION I, A COVERED SECURITY EMPLOYER SHALL, AT A MINIMUM, PAY EACH COVERED SECURITY GUARD THE MINIMUM COMPENSATION AMOUNT DETERMINED BY THE WAGE COMMISSION UNDER SUBSECTION (B) OF THIS SECTION.

(E) VIOLATION.

IT IS A VIOLATION OF THIS DIVISION I FOR A COVERED SECURITY EMPLOYER TO PAY A COVERED SECURITY GUARD LESS THAN THE MINIMUM COMPENSATION AMOUNT REQUIRED BY THIS SECTION.

(F) EMPLOYER TO DISPLAY.

(1) IN GENERAL.

UPON THE TAKING EFFECT OF THE COMPENSATION DETERMINATION UNDER THIS SECTION, A COVERED SECURITY EMPLOYER SHALL POST A SIGN, MEASURING AT LEAST 3 BY 5 INCHES IN SIZE, THAT INCLUDES:

(I) THE REQUIRED COMPENSATION AMOUNT;

(II) A CITATION OF THE APPLICABLE SECTIONS OF CITY CODE; AND

(III) THE CONTACT INFORMATION FOR THE WAGE COMMISSION.

(2) LOCATION.

THE COVERED SECURITY EMPLOYER SHALL POST THE SIGN REQUIRED UNDER THIS SUBSECTION:

(I) IN CLEAR VIEW OF EMPLOYEES; AND

(II) WHERE SIMILAR NOTICES ARE CUSTOMARILY POSTED.

(3) OECR TO POST.

THE OFFICE OF EQUITY AND CIVIL RIGHTS SHALL COMPILE AND POST ON THE CITY'S WEBSITE A PRINTABLE VERSION OF THE SIGN REQUIRED UNDER THIS SUBSECTION.”;

and, on page 8, in lines 5 and 9, respectively, strike “3.” and “4.”, respectively, and substitute “4.” and “5.”, respectively; and, on that same page, after line 11, insert:

“SECTION 6. AND BE IT FURTHER ORDAINED, That, Section 2 of this Ordinance shall take effect on January 1, 2027. It shall remain effective until the end of December 31, 2031, at which time, with no further action required by the City Council, Section 2 of this Ordinance shall be abrogated and of no further force and effect.

SECTION 7. AND BE IT FURTHER ORDAINED, That, the minimum compensation amount determined under Section 2 of this Ordinance by the Wage Commission as of July 1, 2031, shall be effective the following year from January 1, 2032 through December 31, 2032.”;

and, on that same page, in line 12, strike “5.” and substitute “8.”; and, on that same page, in lines 12 and 13, strike “3 and Section 4” and substitute “4, Section 5, Section 6, and Section 7.”; and, on that same page, in line 13, strike “2027.” and substitute “2032.”.