

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0390 05/06/2015 PM 12:46:30

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

[Handwritten Signature]

Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Cornelius Riley</i>	4-7-15	2734 Elmwood K.C. MO	64128	Cornelius Riley
<i>Mary Roseburk</i>	4-7-15	3242 Memphis K.C. MO	64128	MARY ROSEBURK
<i>Royal Johnson</i>	4-7-15	3323 Merington Ave	64128	Royal Johnson
<i>Cynthia Coleman</i>	4-7-15	3434 ASKEN	64128	Cynthia Coleman
<i>Patrick T. Thomas</i>	4-7-15	2739 Cypress	64128	PATRICK T. Thomas
<i>Doraine White</i>	4-7-15	3215 Cypress	64128	Doraine White
<i>Joseph Askey</i>	4-7-15	109 W 54th K.C. MO	64111	Joseph Askey
<i>Tykesha Askey</i>	4-7-15	1390 E. Arma Blvd #2304	64109	Tykesha Askey
<i>Ray Carroll</i>	4-7-15	2933 Quincey	64128	Ray Carroll
<i>Orlene Curry</i>	4-7-15	3634 Cleveland	64128	Orlene Curry

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Subscribed and sworn to before me this

day of April, 2015
[Signature]
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

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To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
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The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
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<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

[Handwritten Signature]

Circulator's Printed Name

, being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Patricia Franklin</i>	4-7-15	3238 Cypress Ave	64128	Patricia Franklin
<i>Willie J. Chatman</i>	4-7-15	3345 Kensington	64128	Willie J. Chatman
<i>Rebecca White</i>	4-7-15	5108 E 30 th Ave.	64128	Rebecca White
<i>Lizell Hannist</i>	4/7/15	4015 Linwood BLVD	64128	Lizell Hannist
<i>Ervin Foster</i>	4-7-15	3307 MONROE	64128	ERVIN FOSTER
<i>Diamond Perry</i>	4-7-15	3307 Monroe	64128	Diamond Perry
<i>Keith M. Holland</i>	4/7/15	3227 JACKSON	64128	Tom Holland
<i>Sharon Haverstick</i>	4/7/15	2613 Kensington	64127	Sharon Haverstick
<i>Leann Riles</i>	4/7/15	2726 Elmwood	64128	LEANN RILES
<i>Howard Walby</i>	4/7/15	3124 Cypress	64128	Howard Walby

signed the foregoing petition paper and each of them signed his or her name thereon in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

[Handwritten Signature]
PAMELA C. McDONALD
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

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B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

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SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

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B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

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SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

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State of Missouri)
County of Jackson)

Frederick Crawford

Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>William Smith</u>	4/7	2107 Asken	64127	William Smith
<u>Linda Ragan</u>	4/7	7443 Maple	64127	Linda Ragan
<u>Izola Heard</u>	4/7	3082 E 21st	64127	IZOLA HEARD
<u>Barbara J Goodlow</u>	4/7	2524 Washington	64127	Barbara J Goodlow
<u>Beth Girens</u>	4/7	3604 East	64127	BETH GIRENS
<u>Beth Girens</u>	4/7	2307 North ave	64127	BETH GIRENS
<u>Clarissa Yandoy</u>	4/7	2017 Kansas Ave	64127	Clarissa Yandoy
<u>Margaret Moore</u>	4/7	3605 E 25th	64127	MARGARET MOORE
<u>Krystal Kemp</u>	4/7	100 E 28 th Ter. unit 3	64108	Krystal Kemp
<u>Juanita Kemp</u>	4/7	2019 Monroe	64127	Juanita Kemp

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this

day of April, 2015
Pamela C. McDonald
(NOTARY PUBLIC)

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0393 05/06/17 12:46:43

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Marilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Frederick Crawford
Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
	4/7/15	2316 Jackson	64127	Krissia Coleman
	4/7/15	2516 Jackson	64127	Bynae Coleman
	4/7/15	3018 E 21st	64127	JAMES L. WATTS
	4/7/15	2415 Myrtle	64127	Richard Talley
	4-7-15	4511 Indiana	64130	Monick Caldwell
	4-7-15	2407 Maryland	64127	Jamesetta Canevar
	4-7-15	3837 Waldron	64128	Rosalyn Ford
	4-7-15	2506 Benton Blvd	64127	Darlan Comeaux
	4-7-15	3531 MERSINGTON	64125	ROBERT L. HOLDER
	4-7-15	3012 East 21st Street	64127	Chad Stanley

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Frederick Crawford
Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

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B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: **Mayor and Council City of Kansas City, Missouri &**
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)
 I, Frederick Crawford, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Linda Friday</u>	<u>4-7-15</u>	<u>2537 Monroe</u>	<u>64107</u>	<u>LINDA FRIDAY</u>
<u>Leona Redmond</u>	<u>4-7-15</u>	<u>2431 Noctor</u>	<u>64122</u>	<u>Leona Redmond</u>
<u>Lezley King</u>	<u>4/7/15</u>	<u>2511 Bellefontaine</u>	<u>64127</u>	<u>Lezley King</u>
<u>Dondrell Gates</u>	<u>9/15/15</u>	<u>2512 Agnes</u>	<u>64127</u>	<u>Dondrell Gates</u>
<u>Stanley Groves</u>	<u>4/6/15</u>	<u>2643 Benton Blvd</u>	<u>64127</u>	<u>STANLEY GROVES</u>
<u>Samuel Davis</u>	<u>4-7-15</u>	<u>2510 Agnes</u>	<u>64127</u>	<u>Samuel Davis</u>
<u>Abert Manning</u>	<u>4-7-15</u>	<u>1934 1/2</u>		<u>Abert Manning</u>
<u>Gwendolyn H. Calderon</u>	<u>4/7/15</u>	<u>2434 Montgall Ave</u>	<u>64121</u>	<u>Gwendolyn H. CALDERON</u>
<u>Marilyn Sanders</u>	<u>4/7/15</u>	<u>2511 Bellefontaine</u>	<u>64127</u>	<u>Marilyn Sanders</u>
<u>Deatrice Johnson</u>	<u>4/7/15</u>	<u>1947 College Ave RMO</u>	<u>64127</u>	<u>Deatrice Johnson</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Subscribed and sworn to before me this 7 day of April, 2015
Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0395 05/06/27 PM 12:46:50

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Frederick Crawford, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>[Signature]</u>	4/7/15	3804 East 19th St	64127	Louis H. Bell
<u>[Signature]</u>	4/7/15	2204 Agnes Ave	64127	Bonnie Phillips
<u>[Signature]</u>	4-7-15	2315 Myrtle	64127	CLARISSA LENOIR
<u>[Signature]</u>	4/7/15	2608 MONTGALL	64127	STEPHEN CUBIT
<u>[Signature]</u>	4-7-15	2528 Agnes	64127	Jeanette Winfield
<u>[Signature]</u>	4/7/15	2008 Cleveland Ave	64127	Keema McLoey
<u>[Signature]</u>	4/7/15	3212 Elmwood Ave	64128	CHEYL Lumpkins
<u>[Signature]</u>	4-7-15	2332 Benton Blvd	64127	SAMM WILLIS
<u>[Signature]</u>	6/3/14	2324 Meisinger ^{K.C. MO}	64127	Archeater C Border Sr
<u>[Signature]</u>	6-7-15	2313 Agnes	64127	Barbara J. Johnson

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

(NOTARY PUBLIC)

(SEAL)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

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SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri & The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
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<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
)
 County of Jackson)

I, Tameca Long, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Brenda Williams</u>	<u>4/7/15</u>	<u>4109 Paseo</u>	<u>64110</u>	<u>Brenda Williams</u>
<u>Brayonna Sanders</u>	<u>4-7-15</u>	<u>10508 E. 42nd St</u>	<u>64133</u>	<u>Brayonna Sanders</u>
<u>James A. Brox</u>	<u>4-7-15</u>	<u>2646 Victor</u>	<u>64128</u>	<u>James A. Brox</u>
<u>Karen R. Brox</u>	<u>4-7-15</u>	<u>2646 Victor St.</u>	<u>64128</u>	<u>KAREN R. BROX</u>
<u>Dwight Weathers</u>	<u>4/7/15</u>	<u>4106 E. 94th St</u>	<u>64124</u>	<u>Dwight Weathers</u>
<u>Terrance Smith</u>	<u>4/7/15</u>	<u>4322 Chestnut</u>	<u>64130</u>	<u>Terrance Smith</u>
<u>Ted Clinton</u>	<u>4-7-15</u>	<u>8815 E. 75th</u>	<u>64138</u>	<u>TED CLINTON</u>
<u>Angelina Fuller</u>	<u>4-7-15</u>	<u>2749 E. 129</u>	<u>64128</u>	<u>Angelina Fuller</u>
<u>Lillian McCalister</u>	<u>4-7-15</u>	<u>3015 Walcott Ave, KC MO</u>	<u>64128</u>	<u>Lillian McCalister</u>
<u>TAMECA LONG</u>	<u>4/7/15</u>	<u>2406 29th St</u>	<u>64128</u>	<u>TAMECA LONG</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
 Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0397 05/06/2017 PM 12:46:59

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Marilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Tameca Long being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Benson Winters</u>	4/7/15	3334 WALE AVE ^{KCMO}	64128	Benson Winters
<u>Fred Weeks</u>	4/7/15	1330 3 Bristol Ave	64108	Fred Weeks
<u>Les Saunders</u>	4/7/15	3004 Benton	64127	Les Saunders
<u>KAROL YOUNG</u>	4-7-15	2827 MONROE	64128	KAROL YOUNG
<u>Donna R Gattlin</u>	4-7-15	2915 Benton Blvd.	64128	Donna R Gattlin
<u>Toni Gattlin</u>	4-7-15	2915 Benton Blvd	64128	Toni Gattlin
<u>Keondra Williams</u>	4-7-15	3004 Benton Blvd	64128	Keondra Williams
<u>Lewis Wood</u>	4/7/15	3004 Benton	64128	Lewis Wood
<u>SHAWN WILLIE</u>		2032 E. 72nd St	64129	SHAWN WILLIE
<u>DARREN D MOTEN SR.</u>	4/7/15	2649 Lockridge	64129	DARREN D MOTEN SR.

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

0398 05/06/2017 PM 12:47:02

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as fling the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
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<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
)
 County of Jackson)

I, Tameca Long, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Tanika Miner</u>	4-7-15	8111 Campbell #313 KC MO 64131	64131	Tanika Miner
<u>Doris Fields</u>	4-7-15	3220 E. 31 st	64128	DORIS FIELDS
<u>Jennette Tindall</u>	4-7-15	2628 Cleveland	64127	Jennette Tindall
<u>Honna Tindall</u>	4-7-15	2628 Cleveland	64127	Honna Tindall
<u>Malinda Alexander</u>	4-7-15	2517 Campbell Apt G	64109	Malinda Alexander
<u>Gwendolyn Alexander</u>	4/7/15	2929 E. 29 th	64108	Gwendolyn Alexander
<u>Angie Logan</u>	4-7-15	7612 E 52 nd	64129	Angie Logan
<u>James Frazier II</u>	4/7/15	4122 College Ave	64130	James Frazier II
<u>Shante Ingram</u>	4/7/15	3744 Marvée	64108	Shante Ingram
<u>Albert Vaughn</u>	5/7/15	3421 E 28	64128	Albert Vaughn

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
 Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

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D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

Tameca Long, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Alex Harris</u>	4/7/15	2922 Bales	64128	Alex Harris
<u>Renee' Boyce</u>	4/7/15	3104 Park #102	64109	Renee' Boyce
<u>Linda McNealy</u>	4/7/15	3503 E. 26 th St, KCK	64127	Linda McNealy
<u>TROY STEWART</u>	4/7/15	7725 WILLIAMS AVE	64138	Troy Stewart
<u>MARCUS DEAN</u>	4/7/15	3314 Wayne	64138	Marcus Dean
<u>Aisha Burks</u>	4/7/15	82637 Indiana	64107	Aisha Burks
<u>Asim Bakayadeen</u>	4-7-15	2925 E. 29 th St	64128	Asim Bakayadeen
<u>Veola Mason</u>	4/7/15	2942 E 28 th St	64128	Veola Mason
<u>Latrice Jones</u>	4/7/15	5226 E 29 th	64128	Latrice Jones
<u>Jaron Givens</u>	4/7/15	2505 E 8 th St	64128	Jaron Givens

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
 Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

0400 05/06/27 PM 12:47:11

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd. Kansas City, MO 64109</u>
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<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Tameca Long being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Helen McClellan</u>	<u>4/7/15</u>	<u>2928 E. 29th K.C. Mo</u>	<u>64128</u>	<u>Helen McClellan</u>
<u>George W. Styles</u>	<u>4/7/15</u>	<u>253 L. Baker / 20th mo</u>	<u>64128</u>	<u>George W. Styles</u>
<u>Sharlene Burris</u>	<u>4/7/15</u>	<u>3010 Jarboe</u>	<u>64108</u>	<u>Sharlene Burris</u>
<u>Alphonso Burris</u>	<u>4/7/15</u>	<u>3010 Jarboe</u>	<u>64108</u>	<u>Alphonso Burris</u>
<u>Tameca Long</u>	<u>4/7/15</u>	<u>5410 Brookwood</u>	<u>64110</u>	<u>Tameca Long</u>
<u>Sandra Watson</u>	<u>4/7/15</u>	<u>3015 College</u>	<u>64128</u>	<u>Sandra Watson</u>
<u>Walter Kidd</u>	<u>4-7-15</u>	<u>3022 BATES</u>	<u>64128</u>	<u>WALTER KIDD</u>
<u>Stephan Gordon</u>	<u>4-7-15</u>	<u>4800 Harvard Ave</u>	<u>64133</u>	<u>Stephan Gordon</u>
<u>Janice Muhammad</u>	<u>4-7-15</u>	<u>3501 E 28th K.C. Mo</u>	<u>64128</u>	<u>Janice Muhammad</u>
<u>Toney Dee</u>	<u>4/7/15</u>	<u>34th Benton</u>	<u>64128</u>	<u>Toney Dee</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC)

(SEAL)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

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B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8 - PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0401 05/06/2017 PM 12:47:14

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Frederick Crawford, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Eric Howell</u>	4-7-15	2445 Bales	64127	Eric Howell
<u>Katharine L. Cooper</u>	4-7-15	2807 E. 24 th St	64127	Katharine L. Cooper
<u>Yvette Hamilton</u>	4/7/15	2438 Johnson	64127	Yvette Hamilton
<u>Verta McBride</u>	4/7/15	1819 Monroe	64127	Verta McBride
<u>Mack Tyler</u>	4-7-15	2533 Bales	64127	MACK TYLER
<u>Rose M. Roos</u>	4/7/15	1808 FULLER AVE	64126	Rose M. Roos
<u>Edith Halley</u>	4/7/15	2445 Chestnut	64127	EDITH HALLEY
<u>Vernice Wyatt</u>	4/7/15	2940 E. 28 th	64128	Vernice Wyatt
<u>Homer Hall</u>	4/7/15	2401 Cleveland	64127	Homer Hall
<u>Orna Mae Bryant</u>	4-7-15	2013 Kansas	64127	Orna Mae Bryant

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Frederick Crawford
Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8 - PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0402 05/06/2015 PM 12:47:18

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Frederick Crawford
Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Paula McClain</u>	4/7/2015	1910 Monroe Km	64127	Paula McClain
<u>BENJAMIN M. COLE</u>	4/7/2015	1910 Monroe	64127	BENJAMIN M. COLE
<u>Demetrea Conway</u>	4-7	2448 Chestnut	64127	Demetrea Conway
<u>Barbara Conway</u>	4-7	2447 Chestnut	64127	BARBARA CONWAY
<u>Don Franklin</u>		2110 Cleveland Ave	64127	Don Franklin
<u>Stephanie E. Franklin</u>	4-7	2110 Cleveland Ave	64127	Stephanie E. Franklin
<u>Dorothy Ruffin</u>	4-7	1813 Myrtle Ave	64127	Dorothy Th. Ruffin
<u>Charlotte Tindall</u>	4/7/2015	3715 E. 24 th Terrace	64137	CHARLOTTE TINDALL
<u>Romey L. Brown</u>	4/7/15	2610 E. 26 th K.C. Mo	64127	Romey L. Brown
<u>Romey M. Brown</u>	4/7/15	3610 E. 26 th St KCMO	64127	Romey M. Brown

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Frederick Crawford
Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC)

[SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

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A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

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Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

0403 05/06/2017 PM 12:47:23

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd. Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

I, Tameca Long, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Sylvester Winfield</i>	4-7-15	2937 Indian	64128	Sylvester Winfield
<i>Laurin M Phee</i>	4-7-15	4023 Kearney Harrison St #2N	64110	Laurin M Phee
<i>Frances M. Small</i>	4-7-15		64128	Frances M. Small
<i>Mary M. Watson</i>	4/7/15	3607 E. 29 th St.	64128	M. M. W.
<i>Kyessence Bask</i>	4-7-15	2411 PARKWAY	64127	Kyessence Bask
<i>Gina Northern</i>	4-7-15	PO Box 17806 KCMO	64134	Gina Northern
<i>Dorothy Carver</i>	4-7-15	2526 W PASEO KCMO	64108	Dorothy Carver
<i>Korrell B. Brown</i>	4-7-15	2617 E 27 th KCMO	64117	Korrell B. Brown
<i>Marketha Glina</i>	4-7-15	2714 TRAY KCMO	64108	Marketha Glina
<i>Michael D Mitchell</i>	4-7-15	2241 E 67 th Ter	64132	Michael D Mitchell

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
 Circulator's Signature

Subscribed and sworn to before me this April day of 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

0404 05/06/27 PM 12:47:27

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
)
 County of Jackson)

Tameca Long, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Code Foster</i>	4/7/15	2625 E 28 ST KCMO	64128	CALTER FOSTER
<i>Rosa Weather</i>	4/7/15	3238 E 28 th St KCMO	64128	Rosa Weather
<i>Victor Byers</i>	4/7/15	2618 Bales	64127	VICTOR BYERS
<i>Mary A. Dooley</i>	4-7-15	2618 Bales Ave	64127	Mary A. Dooley
<i>Richard Johnson</i>	4-7-15	2819 E. 30 th St	64128	Richard L. Johnson
<i>Pearline Shine</i>	4/7/15	2788 E-30 th St	64128	PEARLINE SHINE
<i>Pamela P. O'Neal</i>	4/7/15	2949 Victor St	64128	Pamela P. O'Neal
<i>Shayla Davis</i>	4/7/15	3307 Cleveland Ave	64128	Shayla Davis
<i>Elin Tillman</i>	4/7/15	2701 Benton	64127	Elin Tillman
<i>Sue E. James</i>	4-7-15	2915 Lockridge	64127	Sue E. James

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
 Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) (SEAL)

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0405 05/06/27 PM 12:47:31

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

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<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Jameca Long
Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Cheryl Dancy</u>	4/7/15	5900 E 40 th Ave	64129	CHERYL LOONEY
<u>Rochelle Nelson</u>	4/7-15	4138 Olive	64130	Richard Wilson
<u>Lawrence Smith</u>	4-7-15	1628 Bushman	64130	Lawrence Smith
<u>Mary J. Queen</u>	4-7-15	3621 E. 26 th St	64127	MARY J. QUEEN
<u>Linda Jamison</u>	4-7-15	6391 Manchester	64133	Linda Jamison
<u>A.J. Smith</u>	4-1-15	3019 Agnes	64128	A.J. Smith
<u>Brittany Richardson</u>	4-7-15	5442 Norton Ave	64130	Brittany Richardson
<u>Larry Witherspoon</u>		7500 EAST 110 th ST	64134	Larry Witherspoon
<u>Marlon Williams</u>	4-7-15	3015 Paseo Apt 202	64109	Marlon Williams
<u>Christina Williams</u>	4-7-15	3015 Paseo Apt 202	64109	Christina Williams

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Jameca Long
Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0406 05/06/27 PM 12:47:35

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Richard Carrell being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Bennie L. Porter</u>	4/7/15	1308 Park Ave	64127	BENNIE L. PORTER
<u>Elaine M. Nash</u>	4/7/15	1000 Paseo Blvd #403	64106	Elaine M. Nash
<u>Freddie Johnson</u>	4/7/15	1000 Paseo Blvd. #403	64106	Freddie Johnson
<u>MICHAEL STANFORD</u>	4/7/15	1118 Euclid	64127	Michael Stanford
<u>Theresa Stanford</u>	4/7/15	1118 Euclid	64127	Theresa Stanford
<u>Calmae Mur</u>	4/7/15	1229 W. 104th KCMO	64117	CALMAE MUR
<u>Betty Alb</u>	4/7/15	1229 W. 104th KCMO	64117	BETTY ALB
<u>Mae Viola Norwood</u>	4/7/15	2508 E. 104th KCMO	64127	Mae Norwood
<u>Cornelita V. Hager</u>	4/7/15	1024 Park Ave KCMO	64127	Cornelita V. Hager
<u>EZELL L. Boyd</u>	4-7-15	1320 Brooklyn	64127	EZELL L. BOYD

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Richard Carrell
Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

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SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

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E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

0407 05/06/2015 PM 12:47:39
 Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
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Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

I, Tameca Long, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
1. Hosea Ramsey	4-7-15	2616 E 29 th St	64128	Hosea Ramsey
2. Gwendolyn Ramsey	4-7-15	2616 E 29 th K.C. Mo.		Gwendolyn Ramsey
3. Phillip Ramsey	04-07-15	2616 E. 29 th St. KCMO	64128	Phillip Ramsey
4. Melissa Mofett	4-7-15	3017A Montgall KCMO	64128	MELISSA MOFETT
5. Elizabeth McElroy	4-7-15	1220 Bellefontaine Kcmo	64132	Elizabeth McElroy
6. Marshall Latimore	4/7/15	2617 Bales Ave kcmo	64127	Marshall Latimore
7. Myrtle E. West	4/7/15	3020 Benton Blvd. # 304	64128	Myrtle E. West
8. Brandon Jones	4/7/15	4138 Highland Ave	64110	Brandon Jones
9. Kenneth Matlister	4/7/15	3212 E. 31st	64128	Kenneth Matlister
10. Chandra Anderson	4/7/15	3903 E. 35 th SE	64128	Chandra Anderson

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Tameca Long
 Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8 - PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0408 05/06/27 PM 12:47:44

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Richard Carrell, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Felix W. Henderson, Jr.</u>	<u>4/7/15</u>	<u>1202 Mich: 902</u>	<u>64127</u>	<u>Felix W. Henderson, Jr.</u>
<u>Nina S. Taylor</u>	<u>4-7-2015</u>	<u>1100 Brooklyn Apt</u>	<u>64127</u>	<u>NINA TAYLOR</u>
<u>Veronica Boyd</u>	<u>4-7-2015</u>	<u>1320 Brooklyn Ave</u>	<u>64127</u>	<u>Veronica Boyd</u>
<u>Alonzo Samuels</u>	<u>"</u>	<u>1325 W. E.</u>	<u>64108</u>	<u>A. Samuels</u>
<u>Wayne P. ...</u>	<u>"</u>	<u>1118 Virginia Ave</u>	<u>64108</u>	<u>Wayne P. ...</u>
<u>Willie Harris</u>	<u>"</u>	<u>2412 E 11 ST</u>	<u>64127</u>	<u>Willie Harris</u>
<u>Walter Hayslett</u>	<u>4-7-15</u>	<u>1000 PASEO APT 30</u>	<u>64110</u>	<u>Walter Hayslett</u>
<u>JOHN MORGAN</u>	<u>4-7-15</u>	<u>705 Virginia in</u>	<u>64108</u>	<u>JOHN MORGAN</u>
<u>Edward Barrett</u>	<u>4-7-15</u>	<u>1900 E 10th ST</u>	<u>64127</u>	<u>Edward Barrett</u>
<u>Rita Allen</u>	<u>4-7-15</u>	<u>1027 Park Ave.</u>	<u>64127</u>	<u>Rita Allen</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Richard Carrell
Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
)
 County of Jackson)

Richard Carrell being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Maurice Brown</u>	4/7/15	2505 E. 104th	64127	Maurice Brown
<u>Angela Bradley</u>	4/7/15	1116 Olive Kc, Mo	64127	Angela Bradley
<u>Floral Bondy</u>	4-7-15	916 Garfield	64127	Floral Bondy
<u>Teresa Barry</u>	4-7-15	916 Garfield	64127	Teresa Barry
<u>Lucresia Gilliam</u>	4/7/15	1015 Garfield Ave	64127	LUCRESIA GILLIAM
<u>Vivian Ellis</u>	4/7/15	612 GARFIELD	64124	VIVIAN ELLIS
<u>Tony Street</u>	4-7-15	2322 E 9 th	64128	Tony Street
<u>Charles Smith</u>	4-7-15			
<u>Diane Charity</u>	4/21/15	1331 E. 43 rd	64110	Diane Charity
<u>Melanie Higgins</u>	4-7-15	1702 Hollaie Ln	64116	Melanie Higgins

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Richard Carrell
 Circulator's Signature

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. Donald
 (NOTARY PUBLIC) [SEAL]

9

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0410 05/06/27 PM 12:47:52

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Richard Carrell, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Cyric Shepard</i>	4/7/15	1005 Garfield	64127	Cyric Shepard
<i>Juanita Smith</i>	4/7/15	1617 Mary Sam Wm	64106	JUANITA SMITH
<i>Kendall Johnson</i>	4-7-15	3579 Highland Ave	64106	Kendall Johnson
<i>Sharon Allen</i>	4-7-15	1031 Brooklyn Ave	64127	Sharon Allen
<i>Gerald W. May</i>	4-7-15	2416 E. 11 th St	64127	Gerald W. MAY
<i>Avis D McGary</i>	4-7-15	1019 Garfield	64127	Avis D McGary
<i>Kenneth Lee</i>	4-7-15	1704 Elizabeth St	64127	Kenneth Lee
<i>Joseph A. Marakes</i>	4-7-15	731 Weber, KCMO	64124	Joseph A Marakes
<i>Shikara Rodriguez</i>	4-7-15	1215 Michigan Ave	64127	Shikara Rodriguez
<i>Dawn Estrook</i>	4/7/15	1006 Brooklyn Ave	64127	Dawn Estrook

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Richard Carrell
Circulator's Signature

Subscribed and sworn to before me this 4 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

10/10/2023

10/10/2023

10/10/2023 10/10/2023 10/10/2023

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

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(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

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(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri & 0411 05/06/15 12:47:56
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106
 Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri

County of Jackson

Harry E. Lee being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Cynthia Cobbin</u>	<u>4/7</u>	<u>8846 Crescent KCMO</u>	<u>64138</u>	<u>Cynthia Cobbin</u>
<u>Cassandra Shaver</u>	<u>7/7</u>	<u>4353 Chestnut</u>	<u>64130</u>	<u>Cassandra Shaver</u>
<u>Billy Moore</u>	<u>4-7-15</u>	<u>2404 College</u>	<u>64127</u>	<u>Billy Moore</u>
<u>Betsy Thomas</u>	<u>4/07/15</u>	<u>3111 E. 11th Street</u>	<u>64127</u>	<u>Betsy Thomas</u>
<u>Anthony Hill</u>	<u>4-7-15</u>	<u>5104 HIGHLAND</u>	<u>64110</u>	<u>ANTHONY HILL</u>
<u>Latonia Jackson</u>	<u>4-7-15</u>	<u>2814 E. 10th St.</u>	<u>64127</u>	<u>Latonia Jackson</u>
<u>Freston James</u>	<u>4-7-15</u>	<u>5608 Brooklyn</u>	<u>64130</u>	<u>Freston James</u>
<u>TAMT Glasgow</u>	<u>4/7/15</u>	<u>4917 WA CLACE</u>	<u>64139</u>	<u>TAMT Glasgow</u>
<u>Molna M. Gray</u>	<u>4/7/15</u>	<u>2024 K. Ave.</u>	<u>64127</u>	<u>Molna M. Gray</u>
<u>Trevor Spratt</u>	<u>4/7/15</u>	<u>2925 Benton Plaza #5</u>	<u>64127</u>	<u>Trevor Spratt</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

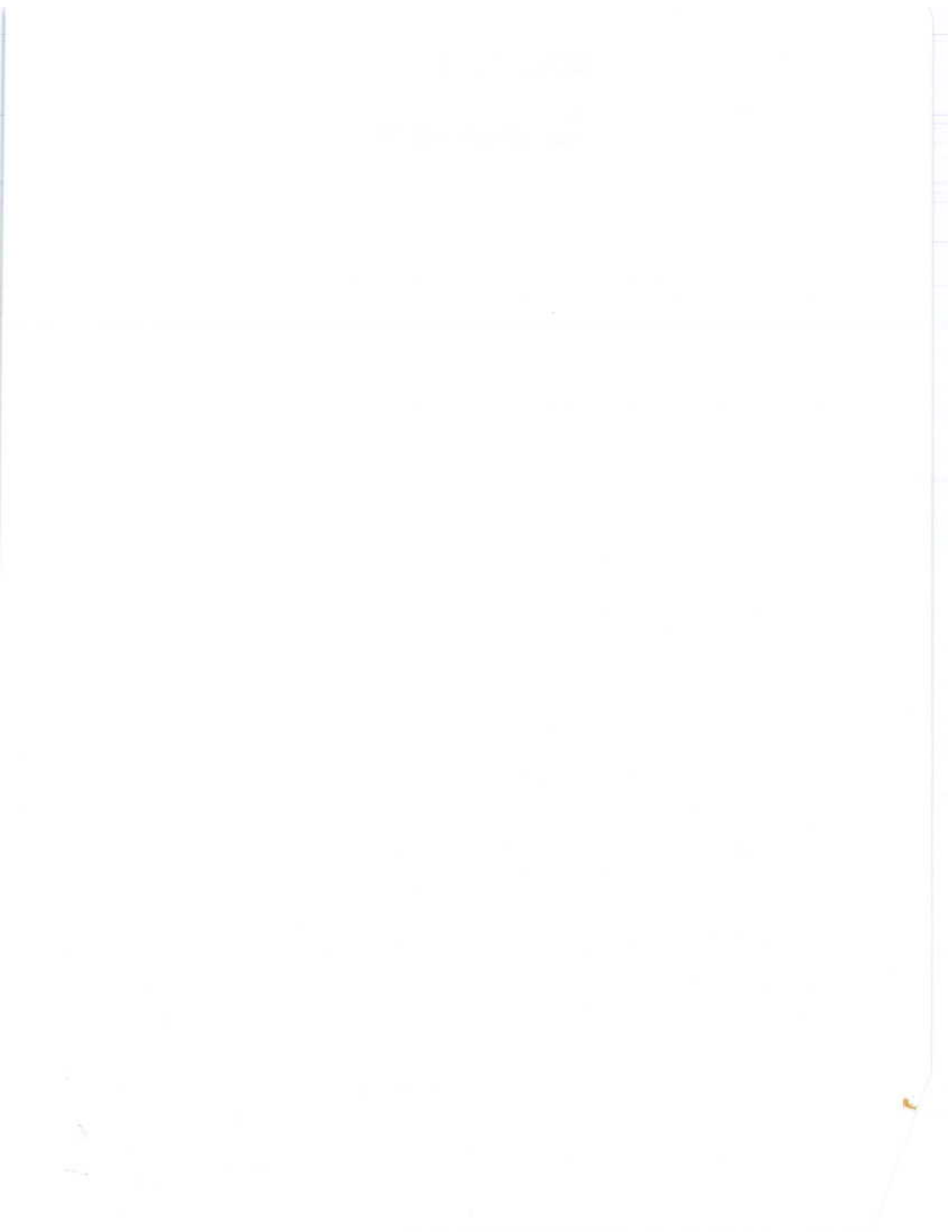
Harry E. Lee
 Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC)

(SEAL)

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912



ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0412 05/06/27 PM 12:48:00

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Samuel E. Mann
Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Henry Shannon</u>	<u>4/7/15</u>	<u>7601 E. 73rd Juvr.</u>	<u>64133</u>	<u>HENRY SHANNON</u>
<u>Clinton Smith</u>	<u>4/7/15</u>	<u>6735 Indiana</u>	<u>64134</u>	<u>Clinton Smith</u>
<u>Belinda Ellers</u>	<u>4-7-15</u>	<u>1705 Benton</u>	<u>64127</u>	<u>Belinda Ellers</u>
<u>Rahim Akul-ALA</u>	<u>4-7-15</u>	<u>1616 BELL FOUNTAIN</u>	<u>64127</u>	<u>Rahim Akul-ALA</u>
<u>Sandra Weber</u>	<u>4-7-15</u>	<u>3304 E 10th St</u>	<u>64127</u>	<u>Sandra Weber</u>
<u>Claude R. Weber</u>	<u>4-7-15</u>	<u>3304 E 10th St.</u>	<u>64127</u>	<u>Claude R. Weber</u>
<u>Chris Homiak</u>	<u>4/7/15</u>	<u>311 E 110 Street</u>	<u>64127</u>	<u>CHRIS HOMIAK</u>
<u>Shelley L. Meacham</u>	<u>4/7/15</u>	<u>3616 E 10th St KCMO</u>	<u>64127</u>	<u>Shelley L. Meacham</u>
<u>Kelli Stiles</u>	<u>4-7-15</u>	<u>1820</u>	<u>64118</u>	<u>Kelli Stiles</u>
<u>Phyllis Verneer</u>	<u>4/7/14</u>	<u>9210 MARSH</u>	<u>64138</u>	<u>Phyllis Verneer</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Samuel E. Mann
Circulator's Signature

Subscribed and sworn to before me this April day of 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

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A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8 - PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0413 05/06/27 PM 12:48:03

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
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<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I Richard A. Carrell, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Linda Jamison</u>	<u>04-7-15</u>	<u>2116 E. 11th St.</u>	<u>64127</u>	<u>Linda Jamison</u>
<u>Doug Schroeder</u>	<u>4/7/15</u>	<u>1161 E Brooklyn Av</u>	<u>64127</u>	<u>Doug Schroeder</u>
<u>Ruth Hill</u>	<u>4-7-15</u>	<u>1100 Brooklyn</u>	<u>64127</u>	<u>Ruth D Hill</u>
<u>Tedra Williams</u>	<u>4-7-15</u>	<u>2309 E. 13th St</u>	<u>64127</u>	<u>TEDRA WILLIAMS</u>
<u>Bryan Stalder</u>	<u>4.7.15</u>	<u>4419 SUNRISE DR</u>	<u>64123</u>	<u>BRYAN STALDER</u>
<u>Pearl Webb</u>	<u>4.7.15</u>	<u>3516 Paseo Blvd.</u>	<u>64109</u>	<u>Pearl Webb</u>
<u>Barbara Zing</u>	<u>4-7-15</u>	<u>1324 E 12th</u>	<u>64106</u>	<u>Barbara Zing</u>
<u>Tammy Williams</u>	<u>4/7/15</u>	<u>2200 E. 13th St.</u>	<u>64127</u>	<u>Tammy Williams</u>
<u>Pamela Humphrey</u>	<u>4/7/15</u>	<u>1700 E 12th Ten Apt 7</u>	<u>64106</u>	<u>Pamela Humphrey</u>
<u>Aiva Taylor</u>	<u>4/7/15</u>	<u>2315 E 14th</u>	<u>64127</u>	<u>AIVA Taylor</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Richard A. Carrell
Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0414 05/06/27 PM 12:48:09

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Richard Carrell, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Angela Moore</i>	4-7-15	1213 Olive	64127	Angela Moore
<i>Mark Rohman</i>	4-7-15	1411 Brooklyn	64127	Mark Rohman
<i>Ruby J. Reese</i>	4-7-15	1213 Olive	64127	Ruby J. REESE
<i>Michael Guinn</i>	4-7-15	1305 Nabashan	64127	MICHAEL GUINN
<i>Linda Jackson</i>	4/7/15	1900 E. 10 th St	64127	LINDA JACKSON
<i>Marilyn Pleasure</i>	4-7-15	1229 Park Ave	64127	Marilyn Pleasure
<i>Theodora DeOrman</i>	4-7-15	805 Brooklyn	64124	THEODORA DeORMAN
<i>Edward Ellingborg</i>	4-7-15	2500 E 11 th St	64127	Edward Ellingborg
<i>Anthony Henderson</i>	4-7-15	1314 Brooklyn	64127	Anthony Henderson
<i>Claudette Henderson</i>	4-7-15	1314 Brooklyn	64127	Claudette Henderson

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Richard Carrell
Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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SECTION 10 - NOTICE POSTING.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri & The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

Samuel E. Mann
 Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Fannie A. Myers</i>	4/6/15	2116 Montgall	64127	FANNIE A. MYERS
<i>Linda Hinkle</i>	4/2/15	2007 Benton Blvd	64127	LINDA HINKLE
<i>George Neas</i>	4/7/15	1016 ASKEN AVE	6427	GEORGE NEAS
<i>Ann Hammerstone</i>	4/7/15	1219 ILLINOIS	6427	ANN HAMMERSTONE
<i>Anthony Handley</i>	4/13/15	1603 BELL (containing)	64127	Anthony Handley
<i>Mary Fittas</i>	4/7/15	2300 Benton Blvd	64127	MARY FITTAS
<i>Totax Jackson</i>		1911 Benton		TOTAX JACKSON
<i>Dennis Mangrum</i>	4-9-15	1864 Benton Blvd	64127	DENNIS MANGRUM
<i>Harmon Johnson</i>	4/7/15	2807 E 17 th St	64127	HARMON JOHNSON
<i>Fisher Brown</i>	4/7/15	1753 Kansas Ave	64127	FISHER BROWN

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Samuel E. Mann
 Circulator's Signature

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

Subscribed and sworn to before me this 10 day of April, 2015

Pamela C. Donald
 (NOTARY PUBLIC) [SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

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E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

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A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

0416 05:06H27 PM 12:48:16
 Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as fling the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

Harvey E. Lee
 Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Vonda Wilson</i>	4/7/15	2930 Farley	64129	Vonda Wilson
<i>Bryan E Wilson</i>	4/7/15	1212 1/2 Benton Apt B	64127	Bryan E Wilson
<i>Ronney Allen</i>	4	2923 Benton Plaza	64127	Ronney Allen
<i>Willie B Wright</i>	4/7/15	2016 Montgall ave	64127	Willie B Wright
<i>Jasmine Jackson</i>	4/7/15	2314 E 10th St	64127	Jasmine Jackson
<i>Sarah Brown</i>	04/07/15	1855 Benton Blvd	64127	SARAH BROWN
<i>John Tramel</i>	4/7/15	2823 E 10th St	64127	John Tramel
<i>Allison Rozzy</i>	4/7/15	3308 E. 12th St.	64127	Allison Rozzy
<i>HARVEY TURNER</i>	4/7/15	1709 Benton	64127	Harvey Turner
<i>Genova Turner</i>	4/7/15	1709 Benton	64127	Genova Turner

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Harvey E. Lee
 Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC)

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd. Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

Samuel E. Mann
 Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Paul Allen</i>	4-7-15	2713 Benton	64128	PAUL ALLEN
<i>Denise Williams</i>	4/7/15	1612 Bellefontaine Ave #2	64127	Denise Williams
<i>Wynso Williams</i>	4/7-15	1636 Bellefontaine #6	64127	Wynso Williams
<i>Valanda Quintero</i>	4/7/15	3732 E. 101 st St #504	64127	Valanda Quintero
<i>Madeline Humphrey</i>	4-7-15	1713 Benton	64127	Madeline Humphrey
<i>Merle L. Fletcher</i>	4-7-15	1122 Askew #A14	64127	MERLE L. FLETCHER
<i>Mark Oliver</i>	4-7-15	2100 Kansas ave	64127	Mark Oliver
<i>Margusha Oliver</i>	4/7/15	2732 Blinwood ave	64128	Margusha Oliver
<i>Quentin Martin</i>	4-7-15	1634 Bellefontaine	64127	Quentin Martin
<i>Charles Davis Sr</i>	4-7-15	1634 Bellefontaine	64127	Charles Davis Sr

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Samuel E. Mann
 Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

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 E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

Samuel E. Mann, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
1. Janette Heron	4/7/15	1418 Ashaw Kc Mo	64127	Janette Heron
2. Patricia Russell	4/7/15	1418 Ashaw Kc Mo	64127	Patricia Russell
3. Bessie S Byrd	4/7/15	2842 E 102 nd Kc Mo	64127	BESSIE S. BYRD
4. Esther Johnson	4-7-15	2140 Kansas Ave	64127	Esther Johnson
5. Leola White	4/7/15	2617 E. 22 nd	64127	Leola White
6. Glenn Larson	4/7/15	2507 21 st Apt 6	64127	GLENN LARSON
7. Tawana Johnson	4/7/15	1124 Bellvue Ave	64127	TAWANA JOHNSON
8. Ulanda Jones	4/7/15	2807 E 17 th Apt 2	64127	ULANDA JONES
9. Trinity Hope	4/7/15	3106 Peery Ave	64127	Trinity Hope
10. Cheyenne Morris	4/7/15	11236	64127	Cheyenne MORRIS

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Samuel E. Mann
 Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

I DEANNA P. AUSTIN, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>[Signature]</i>	7 APR	2023 WABASHA	64112	KEARLENE MYERS
<i>[Signature]</i>	4/7/15	1806 E. 15 th Ter	64127	Linda J. Carter
<i>[Signature]</i>	4/7/15	2004 Brooklyn Ave	64127	LERRY BUCKWALT
<i>[Signature]</i>	4/7/15	2632 Denver Ave	64127	rashed.ionphos
<i>[Signature]</i>	4/7/15	2425 Brooklyn Ave	64127	Colvin Wilson
<i>[Signature]</i>	4/7/15	1748 Euclid Ave.	64127	Gwendolyn M. Wilson
<i>[Signature]</i>	4/7/15	4011 E 11 th St	64127	Dennis Hiltner
<i>[Signature]</i>	4/7/15	1325 E 32 nd Terr	64108	Charles Perry
<i>[Signature]</i>	4/7/15	2607 Paseo	64108	Victoria Carr
<i>[Signature]</i>	4/7/15	2536 Park Ave	64127	John P James

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

[Signature]
 Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

[Signature]
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

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WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

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B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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SECTION 9 - SEVERABILITY.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

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State of Missouri)
 County of Jackson)

DEANNA P AUSTIN, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
	4/7/15	11259 Oak #201	64114	CATRISSE JOHNSON
	4/5/15	1015 Elmwood	64127	DARIUS JOHNSON
	4/7/15	2612 W. PASEO	64129	ROMANE J. GREEN
	4/7/15	2440 N. 100th	64127	LARION COLLINS
	4/7/15	2028 PARK AVE	64127	LULA WILLIAMS
	4/7/15	1820 Woodland	64108	BERNA STEWART
	4/7/15	2016 OLIVE ST.	64127	NANCY NETTLES
	4/7/15	2520 SWEEPWAY	64130	HERMAN KEY
	4-7-15	2628 VINE ST.	64108	ELSIE ANDERSON
	4-7-15	1308 E 8th St	64109	JAMESETTA MILLER

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

0421 05/06/2017 PM 12:48:36

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, DeAnna P. Austin, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Curtis L. Wilson</i>	4-7-15	2417 E 22 nd	64107	CURTIS L. WILSON
<i>Rita Banks</i>	4-7-15	2955 WA BASH	64137	RITA BANKS
<i>Marion Jones</i>	4-7-15	2625 W. PASEO	64108	MARION JONES
<i>Safiyah Muhammad</i>	4-7-15	12422 Valleybrook Dr	64030	SAFIYAH MUHAMMAD
<i>Linda Dickerson</i>	4-7-15	1224 East Lindwood	64109	Linda Dickerson
<i>Mareen Dahnke</i>	4-7-15	1110 Norton	64127	Mareen Dahnke
<i>Rhonda Ingersoll-Morris</i>	4-7-15	2101 Vine KCMO	64108	RHONDA INGERSOLL-MORRIS
<i>Rosie Kimbrough</i>	4-7-15	1545 Garfield	64127	Rosie Kimbrough
<i>Bathy Thomas</i>	4-7	2206 York Ave	64137	Bathy Thomas
<i>Kaman Williams</i>	4-7	518 Olive	64108	Kaman Williams

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

DeAnna P. Austin
Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)
DEANNA P AUSTIN, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Ronald L. Cavil</u>	4/7/15	2625 W PASEO APT 201	64108	RONALD L. CAVIL
<u>Chiquita Parker</u>	4/7/15	2527 Euclid KC MO	64127	Chiquita Parker
<u>Donald L. Pitre</u>	4/7/15	2625 W. Paseo	64108	Donald L. Pitre
<u>Ezra Cornell</u>	4/7/15	2300 Vine St. #309	64108	EZRA CORNELL
<u>Teresa Miller</u>	4/7/15	2454 Dwyer St	64127	TERESA MILLER
<u>Sonya R Van Osborn</u>	April 15	2118 E 15 th Ave	64127	Sonya R Van Osborn
<u>Rita A. Kucher</u>	4/7/15	2300 Vine St. Apt 317	64108	Rita D. A. Kucher
<u>Deborah E Thompson</u>	4-7-15	1321 E 28 th Ter	64109	Deborah E Thompson
<u>Lynn J. Williams</u>	4/7/15	1915 E 17 th St.	64107	LYNN J. WILLIAMS
<u>Beth Valdez</u>	4/7/15	1851 Paseo	64108	BETH VALDEZ

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Deanna P. Austin
 Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

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B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

