

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

0364 05/06/27 PM 12:44:42
 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)

Jerrey 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>Vaungrched Mack</u>	4/7/15	3426 Virginia	64109	VAUNGRCHED MACK
<u>Dashauna H.</u>	4/7/15	1326 Independence Ave	64108	DASHAUNA H.
<u>Rozelia</u>	4/7/15	3304 Olive	64108	ROZELIA
<u>Johnny L. Brooks</u>	4/7/15	2800 E 33 St	64128	JOHNNY L BROOKS
<u>Dalana Johnson</u>	4/7/14		64157	DALANA JOHNSON
<u>Mischoni Ross</u>	4/7/15	3318 Prospect (C. W.)	64128	MISCHONI ROSS
<u>Willie L. Lockett Jr.</u>	4/7/15	3309 E 34th St	64128	WILLIE L. LOCKETT JR.
<u>Ramondal Doakes</u>	4/7/15	5129 Benton Blvd	64128	RAMONDA L. DOAKES
<u>Ed T. McHenry</u>	4/7/15	3102 Olive St.	64109	McHENRY, ED T.
<u>Frances Pnyor</u>	4-7-15	4309 Campbell	64110	FRANCES PNYOR

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.

Jerrey 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 # 13504812

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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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>
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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)

Albert Jackson, 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>Rose Billings</u>	<u>04-07-15</u>	<u>7228 Lydia</u>	<u>64131</u>	<u>Rose Billings</u>
<u>TERRY ANDREWS</u>	<u>4-7-15</u>	<u>1800 E 72nd Woodland</u>	<u>64132</u>	<u>Terry Andrews Sr</u>
<u>Tamara L. Birks</u>	<u>4-7-15</u>	<u>7216 Paseo</u>	<u>64132</u>	<u>Tamara L. Birks</u>
<u>WESTER BUTLER</u>	<u>4-7-15</u>	<u>7325 Everdale</u>	<u>64132</u>	<u>WESTER BUTLER</u>
<u>ANDRE ROBINSON</u>	<u>4-7-15</u>	<u>7354 ARLETA BLVD</u>	<u>64132</u>	<u>ANDRE ROBINSON</u>
<u>AMORE BENIGNA</u>	<u>4-7-15</u>	<u>7319 Virginia</u>	<u>64131</u>	<u>AMORE BENIGNA</u>
<u>HERMAN BIRKS</u>	<u>11</u>	<u>7216 PASEO</u>	<u>64132</u>	<u>H. Birks</u>
<u>Allen Miller</u>	<u>4-7-15</u>	<u>2304 E 71st Terr</u>	<u>64132</u>	<u>Allen Miller</u>
<u>Margaret K. Arnold</u>	<u>4/7/15</u>	<u>7335 Virginia Ave</u>	<u>64131</u>	<u>Margaret K. Arnold</u>
<u>Ernest B. Arnold</u>	<u>4/7/15</u>	<u>7335 VIRGINIA</u>	<u>64131</u>	<u>ERNEST B. ARNOLD</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.

Albert Jackson
 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.

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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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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 5 - LIVING WAGE PAYMENT REQUIREMENTS.

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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.

SECTION 10 - NOTICE POSTING.

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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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To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
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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)

Albert Jackson, 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>Albert Jackson</u>	4/7/15		64127	ALBERT JACKSON
<u>Kate Schiele</u>	4/7/15		64131	KENTON SCHIELE
<u>Anne E. Lewis</u>	4/7/15	2444 Highland KCMO	64131	Anne E. Lewis
<u>Michael J. Tucker</u>	4/7/15	7101 Tracy KCMO	64131	Michael J. Tucker
<u>Emmanuel Oluwole</u>	4/7/15	7239 OLIVE ST. KCMO	64132	EMMANUEL OLUWOLE
<u>Felicia France</u>	4/7/15	7249 Wabash KCMO	64132	Felicia France
<u>Pamela Broome</u>	4/7/15	7233 Wayne KCMO	64131	Pamela K Broome
<u>Carolyn Hobbs</u>	4/7/15	7132 Wabash	64132	Carolyn Hobbs
<u>Hazel Slater</u>	4/7/15	1712 E. 72nd KCMO	64131	HAZEL SLATER
<u>Jame Charles</u>	4/7/15	7228 Lydia	64131	JAME CHARLES

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.

Albert Jackson
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

0367 05/06/2015 PM 12:44:54

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)

I, Albert Jackson, 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>Theresa J. Kincheloe</i>	4-7-15	801 E 83 rd St + KC, MO	64131	Theresa J. Kincheloe
<i>Don Allen Lee</i>	4-7-15	8025 CHARLOTTE	64131	DON ALLEN LEE
<i>Becki Fink</i>	4-7-15	7935 Holmes	64131	BECKI FINK
<i>James Oliver</i>	4-7-15	8141 Campbell St. #303	64131	James Oliver
<i>Matt Fowler</i>	4-7-15	8143 Holmes Row #103	64131	Matt Fowler
<i>Rosmary Harris</i>	4/7/15	911 E. 79th, 3rd Fl. (Y&B)	64131	Rosmary HARRIS
<i>Michelle Wilson</i>	4/7/15	8024 Troost Ave Apt 308	64131	Michelle Wilson
<i>Cory S Reams</i>	4/7/15	7900 Campbell KCMO	64131	Cory S Reams
<i>Susan Ramirez</i>	4/7/15	911 E-79 th St KCMO	64131	SUSAN Ramirez
<i>Jennifer Ali</i>	4/7/15	8153 Holmes Unit 303 KCMO	64131	JENNIFER ALI

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.

Albert Jackson
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 7 day of April, 2015

(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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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.

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

0368 05/06/27 PM 12:44:58

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.

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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)

LeShaele Reed
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>Bertha Duke</i>	4/7/15	4622 Campbell	64110	Bertha Duke
<i>Angela Reed</i>	4/13/15	3809 E 35	64127	Angela Reed
<i>Raimor Darrington</i>	4-7-15	3031 Olive	64109	RAIMOR DARRINGTON
<i>Laberta Brewtley</i>	4/2/15	1706 E. 18 th St	64108	Laberta Brewtley
<i>Joseph D. Johnson</i>	4/7/15	3012 Wayne Ave	64109	Joseph D. Johnson
<i>Esther Kershaw</i>	4/7/15	2901 Paseo Blvd	64109	ESTHER KERSHAW
<i>Mark Kershaw</i>	4/7/15	2981 Paseo	64109	Mark Kershaw
<i>Chauncey Black</i>	4/7/15	2916 Flon	64109	Chauncey Black
<i>Lizzie Fry</i>	4/7/15	2708 Brooklorn	64109	LIZZIE FRY
<i>Loyts D Lot</i>	4/7/15	2937 Paseo	64109	LOYTS D LOT

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 6th 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

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)

LeShelle Ford
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>Kayla Wiggins</u>	<u>4-7-15</u>	<u>2911 Olive St KCMO</u>	<u>64109</u>	<u>Kayla Wiggins</u>
<u>Janet Flowers</u>	<u>4-7-15</u>	<u>3015 Brooklyn Ave KCMO</u>	<u>64109</u>	<u>Janet Flowers</u>
<u>Herman Flowers</u>	<u>4-7-15</u>	<u>3015 Brooklyn</u>	<u>64109</u>	<u>Herman Flowers</u>
<u>Jackie R. Baston</u>	<u>4-7-15</u>	<u>3015 Wayne</u>	<u>64109</u>	<u>JACKIE R. BASTON</u>
<u>Ashton Green</u>	<u>4-7-15</u>	<u>2826 Walbash</u>	<u>64109</u>	<u>Ashton Green</u>
<u>Charles E. Scott</u>	<u>4-7-15</u>	<u>2748 Rayburn Prof</u>	<u>64130</u>	<u>CHARLES E. SCOTT</u>
<u>Adrian Burnett</u>	<u>4-7-15</u>	<u>3714 E 53 St</u>	<u>64130</u>	<u>ADRIAN BURNETT</u>
<u>Darnella Slaughter</u>	<u>4-7-15</u>	<u>3018 Wayne Ave KCMO</u>	<u>64109</u>	<u>Darnella Slaughter</u>
<u>Krystal Pittman</u>	<u>4/7/15</u>	<u>2131 June KCMO</u>	<u>64109</u>	<u>Krystal Pittman</u>
<u>Sharon Hunt</u>	<u>4/7/15</u>	<u>2920 PARK AVE KCMO</u>	<u>64109</u>	<u>Sharon Hunt</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.

[Signature]
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

[Signature]
[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;

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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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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.

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

0370 05/06/2015 12:45:07

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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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)

Leslye K. Reed
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 Jackson</i>	4-7-15	2908 Flora Ave	64109	Paul Jackson
<i>Duane Reese</i>	4-7-15	9008 Oakland	64112	Duane Reese
<i>Debra Knowles</i>	4-7-15	3011 Flora Ave	64109	Debra Knowles
<i>Matthew K. Hanson</i>	4-7-15	2729 PASEO	64109	MATTHEW K. HANSON
<i>Joseph Gibson</i>	4-7-15	1301 E. 30 th St	64109	Joseph Gibson
<i>Ethel S. Oliver</i>	4/7/15	3038 FLORA AVE	64109	ETHEL S. OLIVER
<i>Joyce Baker</i>	4/7/15	2815 Park	64109	Joyce Baker
<i>Keith Baker</i>	4/7/15	2815 Park	64109	KEITH BAKER
<i>Stephanie Bunting</i>	4/7/15	2920 Wayne Ave	64109	Stephanie Bunting
<i>Jim Pitts</i>	4/7/15	2717 VINO ST KCMO	64109	Jim Pitts

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 6th day of April, 2015

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.

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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;

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

0371 05/06/2017 PM 12:45:11

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)

LeShyeka Roland
 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>Michael Kael Woodard</i>	4-7-15	2912 Prospect	64109	Michael Kael Woodard
<i>Patricia E. Mallard</i>	4/7/15	3725 Brookline	64109	PATRICIA E. MALLARD
<i>Tam R. Washington</i>	4/7/15	2905 Flora Ave	64109	Tam Washington
<i>Willie Baker</i>	4/7/15	2905 Flora	64109	WILLIE BAKER
<i>Amos A. McBeth</i>	4-7-15	2410 E 29 th St	64109	AMOS A MCBETH
<i>Geraldine Gosa</i>	4-7-15	3829 Virginia	64109	Geraldine Gosa
<i>Mary L. Gosa</i>	4-7-15	3010 Park	64109	Mary L. Gosa
<i>Thessalonias Heard</i>	4-7-15	1500 E. 29 th St	64109	Thessalonias Heard
<i>Lloyd Dean Sasser</i>	4-7-15	2743 Garfield	64109	Lloyd Dean Sasser
<i>Leon Slaughter Sr.</i>	4.7.15	2727 OLIVE	64109	LEON SLAUGHTER 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.

Circulator's Signature

Subscribed and sworn to before me this 6th 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.

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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.

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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

0372 03/06/27 11:24:14

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
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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)

LeShyeka Roland
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	2727 OLIVE KCMO	64109	KAREN D. SLAUGHTER
	4-7-15	9932 WABASH	64109	Billy Joe Crawford
	4-7-15	3023 Montgall	64128	James Ellis Jr.
	4-7-15	3015 wayne KCMO	64109	Trevor Baston
	4-7-15	2832 Wabash Ave KCMO	64109	Shaton Freeman
	4-7-15	2739 Park Ave KCMO	64109	REBECCA HARDY
	4-7-15	2832 Wabash Ave KCMO	64109	W. L. Downs
	4-7-20/15	2504 Swoop Pk.	64130	Terry Newton
	4-7-15	3004 W. Wayne KCMO	64109	Roberta BARR
	4-7-15	2911 Olive St.	64109	Myron T. Moore

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

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

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

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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BE IT ORDAINED BY THE CITY COUNSEL:

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SECTION 2 - DEFINITIONS.

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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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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;

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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.

M

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

0373 05/06/2015 PM 12:45:23

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)

Leshyeka Roland
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>Walter Marshall</u>	<u>4/7/15</u>	<u>2811 Park</u>	<u>64109</u>	<u>Walter Marshall</u>
<u>Arren Middlebrooks</u>	<u>4-7-15</u>	<u>2907 PASCO</u>	<u>64109</u>	<u>Arren Middlebrooks</u>
<u>William Dean</u>	<u>4-7-15</u>	<u>4828 AGNES</u>	<u>64130</u>	<u>WILLIAM DEAN</u>
<u>Jimmy L. Brown</u>	<u>4-7-15</u>	<u>2935 PARK AVE</u>	<u>64109</u>	<u>JIMMY L BROWN</u>
<u>Steven R. DeVries</u>	<u>4/7/2015</u>	<u>5929 CYPRESS AVE.</u>	<u>64130</u>	<u>STEVEN R. DEVRIES</u>
<u>Louis Branch</u>	<u>4-7-2015</u>	<u>5829 Olive</u>	<u>64130</u>	<u>LOUIS BRANCH</u>
<u>Ruby J. Berry</u>	<u>4-7-2015</u>	<u>2710 Olive KCMO</u>	<u>64109</u>	<u>RUBY J BERRY</u>
<u>Cecil Logan</u>	<u>4-7-2015</u>	<u>8039 Kenwood KCMO</u>	<u>64131</u>	<u>Cecil Logan</u>
<u>Dexter Murray</u>	<u>4/7</u>	<u>3026 Highland</u>	<u>64109</u>	<u>Dexter Murray</u>
<u>Reginald Bainsome</u>	<u>4/14</u>	<u>1410 WAYNE</u>		<u>Reginald Bainsome</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.

[Signature]
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

[Signature]
(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.

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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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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.

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

0374 05/06/27 PM 12:45:27

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.

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<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
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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, Gary Taylor, 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>Marilyn Lopez</u>	4-7-15	3808 Bellefontaine	64128	Marilyn Lopez
<u>Dixie Williams</u>	4-7-15	3508 Benton Blvd KCMO	64128	Dixie Williams
<u>Gina N. Hollan</u>	4-7-15	3731 Cleveland Ave	64128	Gina N. Hollan
<u>Rosemary Miller</u>	4-7-15	3819 Agneskemo	64128	Rosemary Miller
<u>Tara Clemmons</u>	4-7-15	3819 Agneskemo	64128	Tara Clemmons
<u>Dorothy Savory</u>	4-7-15	3814 E 37 th Street KCMO	64128	Dorothy Savory
<u>Verneth Haynes</u>	4-7-15	3136 Floora KCMO	64109	Verneth Haynes
<u>Janice Riley</u>	4-7-15	3700 Benton Blvd	64128	Janice Riley
<u>Robyn Segars</u>	4-7-15	3534 Bales	64128	Robyn Segars
<u>Avery Triplett</u>	4-7-15	3723 Askew	64128	Avery Triplett

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

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

SECTION 3 - APPLICABILITY.

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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.

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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.

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

0375 05/06/15 12:45:31

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: 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)

I, CLINTON ADAMS JR., 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. <u>Sandra Tucker</u>	4/7/15	7407 MANCHESTER AVE KCMO	64133	Sandra Tucker
2. <u>Alan Tucker</u>	"	"	"	ALAN TUCKER
3. <u>Donna Cox</u>	4/6/15	200 TRACY AVENUE KCMO	64106	Donna Cox
4. <u>Cathy Stewart</u>	4/6/15	4200 TRACY #314	64110	CATY STEWART
5. <u>Laverne Stanifer</u>	4/6/15	3449 E. 54th	64130	Laverne Stanifer
6. <u>Frances Lewis</u>	4/6/15	3620 E. 27th	64132	Frances Lewis
7. <u>Osa Sanders</u>	4/6/15	2627 E. 33 ST.	64128	Osa Sanders
8. <u>Thomas R Johnson</u>	4/6/15	1641 E. 9th St Apt D	64106	Thomas R Johnson
9. <u>Napoleon Thomas</u>	4-7-15	3104 Park ave	64109	NAPOLAN THOMAS
10. <u>Theopris' SAUVAGE</u>	4-6-15	65th Paseo	64130	THEOPRIS' SAUVAGE

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.

[Signature]
Circulator's Signature

Subscribed and sworn to before me this 7th 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.

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

0376 05/06/27 PM 12:45:35

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:

<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, Teely 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>Lynnette Brown</u>	<u>4/7/15</u>	<u>3325 Brooklyn #2B</u>	<u>64109</u>	<u>Lynnette Brown</u>
<u>Thomas A. Mason</u>	<u>4/7/15</u>	<u>2101 E. Lincoln Blvd</u>	<u>64108</u>	<u>Thomas A. Mason</u>
<u>Philip W. Conover Sr</u>	<u>4-7-15</u>	<u>3440 College</u>	<u>64128</u>	<u>Philip W. Conover Sr</u>
<u>Deloris A. Lewis</u>	<u>4-7-15</u>	<u>3409 Flora Ave</u>	<u>64109</u>	<u>Deloris A. Lewis</u>
<u>Patricia Bersley</u>	<u>4-7-15</u>	<u>3437 Chestnut Ave.</u>	<u>64108</u>	<u>PATRICIA BERSLEY</u>
<u>Carl E Lewis</u>	<u>4-7-15</u>	<u>3036 E 32 S</u>	<u>64128</u>	<u>Carl E Lewis</u>
<u>Shale D Kyslewski</u>	<u>4-7-15</u>	<u>3036 E 32nd St</u>	<u>64128</u>	<u>Shale D Kyslewski</u>
<u>Ann M. Boruffard</u>	<u>4/7/15</u>	<u>1110 E. ARMOUR</u>	<u>64106</u>	<u>ANN M. BORUFFARD</u>
<u>Jacqueline A. Pilla</u>	<u>4/7/15</u>	<u>3406 College Ave</u>	<u>64128</u>	<u>JACQUELINE A. Pilla</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.

Teely 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;

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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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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

0377 05/06/27 PM 12:45:38

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, Jerrey 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>Kelly G Loeb</i>	4-7-15	3406 Benton Bl	64128	Kelly G Loeb
<i>Terrie L Perry</i>	4-7-15	3020 Linwood	64128	Terrie L Perry
<i>Daisy V. Price</i>	4-7-15	3304 Bellefontaine St.	64128	Daisy V. Price
<i>Zachary Hicks</i>	4-7-15	3121 Garland Ave.	64109	Zachary Hicks
<i>Bertram Williams</i>	4-7-15	2415 E. Howard Blvd	64109	Bertram Williams
<i>Ernest Jones</i>	4-7-15	3410 Bayview Blvd	64128	Ernest Jones
<i>Ethel M. Johnson</i>	4-7-15	" " "	"	Ethel M. Johnson
<i>Karen Childs</i>	4-7-15	1601 East 18th St	64108	Karen Childs
<i>Michael McDonald</i>	4-7-15	3101 Park Lane #101	64109	Michael McDonald
<i>Dana S. Henderson</i>	4-7-15	3319 W 49th	64109	Dana S. 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.

Jerrey Long
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 6th 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.

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

0378 05/06/2015 PM 12:45:45

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
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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>
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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, Jerry 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>Marcus Walker</u>	4/7/15	3319 WAYNE	64109	MARCUS WALKER
<u>Larry Sanders</u>	4/7/15	3311 Flora Ave	64109	LARRY SANDERS
<u>George Davis</u>	4-7-15	3424 S Banton ave	64128	GEORGE DAVIS
<u>Toni M. Lunn</u>	04/11/15	3300 PASEO Blvd	64109	TONI M. LUNN
<u>Heleen Thompson</u>	4/7/15	3214 E. 32nd St	64128	HELEEN THOMPSON
<u>Marietta J. Harris</u>	4/9/15	4612 Boles	64130	MARILETTA J. HARRIS
<u>Leonard R. Jenkins</u>	4/11/15	3301 WABASHA	64109	LEONARD R. JENKINS
<u>AL Spivey</u>	4/7/15	300 SE 31 st	64128	AL
<u>Dramone Kendrick</u>	4/7/15	3518 Benton Blvd	64128	Dramone Kendrick
<u>Archie Clark</u>	4-7-15	2017 E. Lombard	64109	Archie Clark

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.

Jerry Long
Circulator's Signature

Subscribed and sworn to before me this 26 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

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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. 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

0379 05/06/2017 PM 12:45:49

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
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Phone: (816) 513-3360
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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)

PATRICIA THOMAS, 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>Maurine Tull</i>	4-7-15	5045 Euclid	64130	Maurine Tull
<i>Jacqueline Turner</i>	4-7-15	5041 Euclid	64130	Jacqueline Turner
<i>Bryan Wilson</i>	4/7/15	110 E 51 st St Apt 19	64112	Bryan Wilson
<i>Andrea Edwards</i>	4/7/15	" " "	"	Andrea Edwards
<i>Siretha H. Bentley</i>	4/7/15	5104 Paseo	64110	Siretha H. Bentley
<i>Margaret Herston</i>	4/7/15	5104 Paseo	64110	Margaret Herston
<i>Tessa Sheehan</i>	4-7-15	5035 Virginia	64110	Tessa Sheehan
<i>Thomas Goodwin</i>	4/7/15	5042 Park Ave	64130	Thomas Goodwin
<i>Marceline Lawson</i>	4/7/15	5042 Park Ave	64130	Marceline Lawson
<i>Marceline Lawson</i>	4/7/15	5005 Paseo	64110	Marceline Lawson

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.

Patricia Thomas
Circulator's Signature

Subscribed and sworn to before me this 6th 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;

(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

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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

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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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

0380 05/06/2015 PM 12:45:54

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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State of Missouri)
County of Jackson)

I, PATRICIA THOMAS, 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>William K Hart</u>	<u>3/7/2015</u>	<u>4726 Euclid</u>	<u>64130</u>	<u>WILLIAM K HART</u>
<u>Alfonso Veal</u>	<u>3/7/15</u>	<u>5340 Woodland</u>	<u>64110</u>	<u>ALFONSO VEAL</u>
<u>Harriet Broaden</u>	<u>3/7/15</u>	<u>5221 Wayne</u>	<u>64110</u>	<u>HARRIET BROADEN</u>
<u>Helen Palmer</u>	<u>3/7/15</u>	<u>5423 Virginia</u>	<u>64110</u>	<u>HELEN PALMER</u>
<u>Sarah Updyke</u>	<u>4/7/15</u>	<u>5041 Brooklyn</u>	<u>64130</u>	<u>Sarah Updyke</u>
<u>Teal Hicks</u>	<u>4/7/15</u>	<u>5041 Brooklyn</u>	<u>64130</u>	<u>Teal Hicks</u>
<u>Darlene L Rogers</u>	<u>4-7-15</u>	<u>4947 Garfield Ave</u>	<u>64130</u>	<u>Darlene L Rogers</u>
<u>Frances Lue</u>	<u>4-7-15</u>	<u>5330 Woodland Ave</u>	<u>64110</u>	<u>FRANCES LUE</u>
<u>Sandra Butler</u>	<u>4/7/15</u>	<u>5012 Garfield Ave</u>	<u>64130</u>	<u>Sandra Butler</u>
<u>Anthony Butler</u>	<u>4/7/15</u>	<u>5022 Garfield Ave</u>	<u>64130</u>	<u>Anthony Butler</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.

Patricia Thomas
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. _____

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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

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

0381 05/06/2015 PM 12:45:57

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.

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State of Missouri)
County of Jackson)

I, PATRICIA THOMAS, 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>Ocie Taylor</u>	<u>4-1-15</u>	<u>1556 East 50th St</u>	<u>64110</u>	<u>Ocie TAYLOR</u>
<u>Luoman Muhammad</u>	<u>4-7-15</u>	<u>5208 Highland AVE</u>	<u>64110</u>	<u>LUOMAN MUHAMMAD</u>
<u>Tarrie Brown</u>	<u>4-7-15</u>	<u>4415 Troostwood Rd</u>	<u>64110</u>	<u>Tarrie Brown</u>
<u>Elisha Verge</u>	<u>4-7-15</u>	<u>4415 Troostwood Rd</u>	<u>64110</u>	<u>Elisha Verge</u>
<u>ROBERT ROBINSON</u>	<u>4-7-15</u>	<u>5035 BROOKLYN AVE</u>	<u>64130</u>	<u>Robert Robinson</u>
<u>Chad Brown</u>	<u>4-7-15</u>	<u>5306 W Oakland</u>	<u>64110</u>	<u>Chad Brown</u>
<u>Regina Page</u>	<u>4/7/15</u>	<u>5635 Brooklyn Ave</u>	<u>64130</u>	<u>Regina Page</u>
<u>Stephane Nevins</u>	<u>4/7/15</u>	<u>5216 Euclid</u>	<u>64110</u>	<u>Stephane Nevins</u>
<u>Melaney Courtz</u>	<u>4/7/15</u>	<u>5106 Virginia Ave</u>	<u>64110</u>	<u>Melaney Courtz</u>

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Patricia Thomas
Circulator's Signature

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

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Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

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To: Mayor and Council City of Kansas City, Missouri &
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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>LESTER SCOTT</u>	<u>4/07/15</u>	<u>5400 PASSEO KC. MO. 64110</u>	<u>64110</u>	<u>Lester Scott</u>
<u>Stephen T. Yavorsky</u>	<u>4/02/15</u>	<u>5133 FOREST AVE.</u>	<u>64110</u>	<u>STEPHEN T. YAVORSKY</u>
<u>Tyrone Gillum</u>	<u>4.7.15</u>	<u>5102 TRACY AVE.</u>	<u>64110</u>	<u>TYRONE GILLUM</u>
<u>Katharyn Pendleton</u>	<u>4/7/15</u>	<u>5005 TRUSTWOOD</u>	<u>64110</u>	<u>Katharyn Pendleton</u>
<u>William Edward</u>	<u>4/7/15</u>	<u>5119 HIGHLAND</u>	<u>64110</u>	<u>WILLIAM EDWARD</u>
<u>Lucas Kurz</u>	<u>4/7/15</u>	<u>4130 Bluegrass Drive MO</u>	<u>65201</u>	<u>LUCAS KURZ</u>
<u>Jacquet Lee</u>	<u>4/7/15</u>	<u>5619 Rockwell A.</u>	<u>64110</u>	<u>JACQUET LEE</u>
<u>Jacquet L Cooper</u>	<u>4/7/15</u>	<u>84029 NE Crimson MO</u>	<u>641064</u>	<u>Jacquet L Cooper</u>
<u>Louis J. Oldani</u>	<u>4/7/15</u>	<u>5133 FOREST AVE.</u>	<u>64110</u>	<u>LOUIS J. OLDAWI</u>
<u>Adam B. Stevenson</u>	<u>4/7/15</u>	<u>5128 Lydia Ave</u>	<u>64110</u>	<u>Adam B. Stevenson</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.

Patricia Thomas
Circulator's Signature

Subscribed and sworn to before me this April 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;

(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

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

0383 05/06/27 PM 12:46:04

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)

PATRICIA THOMAS 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>Patricia Lofton</i>	4/7/15	5143 Brookwood KCMO	64110	PATRICIA LOFTON
<i>Louis Washington</i>	4/7/15	5035 Troost Ave	64110	Louis Washington
<i>Carolyn Washington</i>	4/7/15	5035 Troost, #350.	64110	Carolyn Washington
<i>Stacey Rhymes</i>	4/7/15	1811 Swope Pkwy	64130	STACEY RHYMES
<i>Emma Stewart</i>	4/7/15	5404 Highland	64110	EMMA D. STEWART
<i>Lindora Johnson</i>	4/7/15	4916 MICHIGAN AVE	64130	LINDORA JOHNSON
<i>LaDene Marton</i>	4/7/15	5014 Tracy	64110	LaDene Marton
<i>Josephine Hicks</i>	4/7/15	5008 Walnut Ave	64110	JOSEPHINE HICKS
<i>Mary Robinson</i>	4/7/15	5045 Garfield	64130	MARY ROBINSON
<i>Eddie Robinson</i>	4/7/15	3045 Garfield	64130	Eddie Robinson

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.

Patricia D Thomas
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. _____

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

0384 05/06/2015 PM 12:46:08

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

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State of Missouri)
County of Jackson

PATRICIA THOMAS
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Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>[Signature]</u>	4/7/15	5041 Euclid KCMO	64122	BARYL TURNER
<u>[Signature]</u>	4-9-15	1510 E 49 th Terr KCMO	64110	CHARLES R. FORD
<u>[Signature]</u>	4-7-15	5440 WAYNE KCMO	64110	OLIVER LEE
<u>[Signature]</u>	4-7-15	5440 Wayne KCMO	64110	E. L. LEE
<u>[Signature]</u>	4-7-15	2013 E. 48 th KCMO	64130	Mitchell Williams
<u>[Signature]</u>	4-7-15	4937 Olive St KCMO	64130	Anwar Jones
<u>[Signature]</u>	4-7-15	5016 Euclid Kcmo	64122	Buzell C. Brown
<u>[Signature]</u>	4/7/15	1706 E. 50 th Terr	64110	Bobbie Beliford Miller
<u>[Signature]</u>	4/7/15	5040 Forest AVE	64110	PAT Aiken
<u>[Signature]</u>	4/7/15	5827 Woodland	64110	Bishop R. Ford

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[Signature]
Circulator's Signature

Subscribed and sworn to before me this 4th 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

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County of Jackson)

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Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
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<u>William G. Krieger</u>	4.7.15	5007 Troostwood Rd	64110	WILLIAM G. KRIEGER
<u>Dorothy Williams-Sanders</u>	4-7-15	5411 Wayne Ave	64110	Dorothy Williams-Sanders
<u>Jerry L. Miller</u>	4-7-15	1706 E. 50th Ter KCMO	64110	Jerry L. Miller
<u>Jerri Harvey</u>	4-7-15	5146 Brookwood ^{KC MO}	64110	Jerri Harvey
<u>Gwendolyn Long</u>	4-7-15	3748 Brookwood ^{KCMO}	64110	Gwendolyn Long
<u>Ronald Jackson</u>	4-7-15	5244 Wayne Ave	64110	Ronald Jackson
<u>Michael Cooper</u>	4-7-15	1833 E 47 th KCMO	64110	Michael Cooper
<u>Raina H. Heinrich</u>	4/7/15	5015 Hydra KCMO	64110	Raina H. Heinrich
<u>Anne C. Carlson</u>	4-7-15	4923 Forest Avenue	64110	Anne C Carlson

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.

Pamela C. McDonald
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. 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;

(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

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:

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]

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>Ron Rattler</i>	4/7	3217 Colfax	64126	RON D. Rattler
<i>Francisca Young</i>	4/7/15	3114 Cleveland Ave	64128	Francisca Young
<i>Melrose J</i>	4/7/15	3422 Monroe	64128	Melrose J
<i>Derrick Hutton</i>	4/7/15	2619 Kensington	64127	Derrick Hutton
<i>Bernita Canale-Shaw</i>	4/7/15	3180 Cypress	64128	Bernita Canale-Shaw
<i>Mirtletta Hodges</i>	4/7/15	3010 Kensington	64128	Mirtletta Hodges
<i>Tim Hodges</i>	4/7/15	3305 Astor	64128	Tim Hodges
<i>Curtis L. Jones Jr</i>	4-7-15	3244 S. 100 th	64128	Curtis L. Jones Jr.
<i>Keith Goodwin</i>	4-7-15	2910 Cleveland Ave	64128	Keith Goodwin
<i>Jeron Harden</i>	4-7-15	2704 E. 29 th	64128	JERON HARDEN

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 7 day of April, 2015

(NOTARY PUBLIC)

(SEAL)

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:

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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;

(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;

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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.

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

0387 05/06/2017 PM 12:46:19

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.

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Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
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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)

[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>[Signature]</i>	4-7-15	3007 Myrtle	64128	L.C. Porter
<i>[Signature]</i>	4/7	2820 CYPRESS AVE	64128	Sandra V. Gomez
<i>[Signature]</i>	4/7	3111 Kensington	64128	LeVonce J Jordan
<i>[Signature]</i>	4/9	3111 Kensington	64128	Marie J S Phicklen
<i>[Signature]</i>	4/7	2946 LISTER	64128	ROBERT L REYNOLDS
<i>[Signature]</i>	4/7	3212 Kensington	64128	JEAN JOHNSON
<i>[Signature]</i>	4/7/15	2633 Cleveland Ave	64127	Antonette Collins
<i>[Signature]</i>	4/7/15	3245 Norton	64128	Charles K. Freeman
<i>[Signature]</i>	4-7-15	3405 Kensington	64128	Darrion C. Davis
<i>[Signature]</i>	4-7-15	2920 Jackson	64128	

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.

[Handwritten Signature]
Circulator's Signature

Subscribed and sworn to before me this 6 day of April, 2015

[Handwritten Signature]
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. _____

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

0388 05/06/27 PM 12:46:23

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)

[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>[Signature]</i>	4-25	5302 E 30 th	64128	JULIUS E CABINE
<i>[Signature]</i>	4-19	2608 Spruce	64127	
<i>[Signature]</i>	4/7	" "	64127	LOLA ESTELL
<i>[Signature]</i>	4/7	2608 Spruce	64127	Tony Saunders
<i>[Signature]</i>		3233 Cleveland		
<i>[Signature]</i>		3015 cypress	64128	Odessa Black
<i>[Signature]</i>		27 E 1 st Greenwood	64128	JANIS W...
<i>[Signature]</i>	4-7	3131 Mersington	64128	MIRA BENTON
<i>[Signature]</i>		3131 Mersington	64128	Oscar Terry
<i>[Signature]</i>	4/7	4511 Linnwood Blvd.	64128	Mitchell Martin

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 4th day of April, 2015

[Handwritten 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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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

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> |
| <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)

[Handwritten Signature]

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>Samuel W. Nero</i>	4/7	3317 Norton	64128	Samuel W. Nero
<i>Serenia DeBerry</i>	4/7	3435 Monroe	64128	SERENIA DeBerry
<i>Nechie DeBerry</i>	4/7	3435 Monroe	64128	Nechie DeBerry
<i>Eula M. Byrd</i>	4/7	2840 Mersington	64128	EULA M. BYRD
<i>Darlene Williams</i>	4/7			DARLENE WILLIAMS
<i>Marcelle Goldsmith</i>	4/7	4914 E 31 st St	64128	MARCELLE Goldsmith
<i>Brian Giveas</i>	4/7	2307 Norton	64127	Brian Giveas
<i>Edwina Brown</i>	4/7	2839 Mersington	64128	EDWINA BROWN
<i>Rivers Brown</i>	4/7	2839 Mersington Dr	64128	RIVERS BROWN
<i>Canaria M. Martin</i>	4/7	3027 Jackson	64128	CANARIA M. MARTIN

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.

[Handwritten Signature]
 Circulator's Signature

Subscribed and sworn to before me this 7th 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.

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;

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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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