

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 130544)

RESOLUTION

Proposing an amendment to The Philadelphia Home Rule Charter confirming Council's power to enact provisions Council considers necessary or appropriate to accomplish the purposes of a Minimum Wage and Benefits Ordinance, including, but not limited to, provisions mandating that minimum wage and benefits requirements be passed along to subcontractors on City contracts and subrecipients of City financial assistance, with debarment as a potential penalty for violation of such provisions; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

Bold italics indicates matter added by these amendments.
~~Strikethrough~~ indicates matter deleted by these amendments.

ARTICLE II LEGISLATIVE BRANCH

The Council - Its Election, Organization, Powers and Duties

CHAPTER 3 LEGISLATION

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City of Philadelphia

RESOLUTION NO. 130544 continued

Section 2-309. Leases and Contracts.

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(5) For purposes of this subsection, "Minimum Wage and Benefits Ordinance" means an ordinance that requires the City, those who contract with the City, and/or recipients of City financial assistance to provide their employees with a minimum level of pay and benefits, and/or that provides that certain or all City contracts include provisions mandating compliance with such a requirement, ***and that may include such other provisions as Council considers necessary or appropriate to accomplish the purposes of such an ordinance, including, but not limited to, provisions that require those who contract with the City or are recipients of City financial assistance to pass along the requirements of such an ordinance to subcontractors (at any tier) and subrecipients (at any tier); and provisions that authorize the granting and revocation of waivers from any or all of the requirements of such an ordinance.*** Council's power to enact Minimum Wage and Benefits Ordinances is hereby confirmed, as is Council's power to ordain that a contractor or recipient of City financial assistance, ***or any subcontractor (at any tier) or subrecipient (at any tier)***, may, after notice and hearing, be debarred from doing business with the City or receiving City financial assistance for a specified period of time for failure to comply with such requirement. Council may not ordain differing minimum levels of pay and benefits for different categories of covered City employees. ***Notwithstanding any other provision of the Charter, An ordinance providing for such debarment, and an ordinance providing for the granting and revocation of waivers,*** may specify procedures for such debarments ***and waivers*** by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes.

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RESOLUTION NO. 130544 continued

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-sixth of September, 2013.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Goode

Sponsored by: Councilmembers Goode, Reynolds Brown, Quiñones Sánchez, Greenlee, Squilla, Green, Blackwell, Jones, Henon, Bass, Council President Clarke, O'Brien, Johnson, O'Neill and Kenney