[campaign logo goes here --
Please return your petition forms or Contact us at:
Vote $15
PO Box or address
Seattle WA XXXX
phone e mail and web]

WARNING: Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor. (RCW 35.21.005). In addition, it is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment by threat, intimidation or any other corrupt means or practice. Any violation of paragraphs 1, 2, or 3 shall be punishable by a fine of not more than $500 or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. (Seattle Ordinance 94289).

CHARTER AMENDMENT PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL

To the City Council of The City of Seattle: We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the amendment to the City of Seattle Charter known as Charter Amendment Measure No. ....., entitled:

[here set forth the established ballot title of the measure],

a full, true and correct copy of which is included herein, and we petition the Council to present said proposed Charter Amendment to the qualified electors of The City of Seattle for approval or rejection at the next general municipal election occurring in accordance with Article XX, Section 2 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

	Petitioner's Signature	Printed Name	Residence Address (Street/Zip)	Date Signed
1				
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CITY CLERK
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CITY OF SEATTLE
FILED

A Charter Amendment raising the minimum wage in the City of Seattle, and providing related protections and enforcement provisions.

The People of the City of Seattle, exercising their power to amend the City Charter by popular vote under Article XX, Section 2 of the City Charter, enact the following amendment to the Charter of the City of Seattle. In amending sections, removals are in strikeout, additions are underlined; Charter Amendment section headers are in ***Bold Italics***.

Section 1. A new Article XXIV entitled, "Minimum Wage and Related Worker Protections," is added to the Charter of the City of Seattle as follows:

Sec. 1. Findings and Resolution.
It is to the benefit of Seattle, the public welfare, health and safety, and our economy, that we put an end to poverty wages and that working people can live in dignity. Working people and their families should not be forced to rely on charity or taxpayer-funded human services. Over 100,000 workers currently live on less than $15 per hour in our city. This undermines our economy and local small businesses by reducing consumer spending. Raising the minimum wage will help make our city more affordable for working people, address Seattle's growing income inequality, improves the local economy, and furthers the cultural, educational and civic engagement of our entire community. The minimum wage has declined in real terms since 1968. If the minimum wage had continued to increase with average productivity after 1968 it would have reached $21.72 per hour in 2012. If minimum-wage workers received only half of the productivity gains over the period, the federal minimum would be $15.34. Raising the minimum wage and setting minimum standards of employment within the City of Seattle is necessary to end poverty wages, reduce inequality, and improve the overall economy in the City of Seattle.

Sec. 2. Definitions.
For purposes of this chapter, the following definitions apply:
A. "Employee" and "Employer" have the meanings provided in Seattle Municipal Code section 12A.28.200; and "Wage" means compensation due to an employee by reason of employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges, or allowances as may be permitted by rules of the Washington State Director of Labor and Industries.
B. "Small Business" means an Employer that is not a franchisee, and that employs less than 250 full-time equivalents on average per calendar week, during the preceding calendar year for any and all weeks during which at least one employee worked for compensation. To determine the number of full-time equivalents, all compensated hours of all Employees shall be counted, with each 40 hours constituting one full-time equivalent, including all hours of work performed for the Employer at any location inside or outside of the City of Seattle and all compensated hours in any part-time employment, temporary employment, or employment through the services of a temporary services or staffing agency or similar entity. For purposes of this definition "franchisee" means a legal person operating a business that is as a franchisee, or franchise, defined as operating under an agreement, express or implied, oral or written, by which a person is granted the right to engage in the business of offering, selling, or distributing goods or services under a marketing plan prescribed or suggested in substantial part by the grantor or its affiliate; the operation of the business is substantially associated with a trademark, service mark, trade name, advertising, or other commercial symbol designating, owned by, or licensed by the grantor or its affiliate; and the person pays, agrees to pay, or is required to pay, directly or indirectly, a franchise fee.
C. "Nonprofit Organizations" are corporations or entities that are not for profit and are organized or incorporated under RCW Title 24 or that are organized as nonprofit corporations under laws other than the laws of Washington State, such that no part of the income of the organization is distributable to its members, directors or officers.
D. "Tips" means any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for an Employee by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer. "Service Charge" means any separately designated amount collected by an Employer from a customer that is for services provided by an Employee, or is described in such a way that customers might reasonably believe that the amounts are for such services. Service charges include but are not limited to charges designated on receipts as a "service charge," "gratuity," "delivery charge," or "porterage charge."

Sec. 3. Minimum Hourly Wages Established.
Except as provided in this section with regard to Small Business or Nonprofit Organization Employers only for the period prior to January 1, 2018, effective on January 1, 2015, any Employer shall pay any Employee for each hour worked within the geographic boundaries of the City of Seattle a Wage that is not less than the "General Minimum Wage" as defined in this section. The "General Minimum Wage" shall be an hourly rate of $15.00 during the period until the end of 2015 and thereafter it shall be increased as follows. Commencing January 1, 2016, and each January 1st thereafter, the General

Minimum Wage shall be increased to maintain employee purchasing power by increasing the current year's minimum wage rate by the rate of inflation. The increased General Minimum Wage shall be calculated to the nearest cent using the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, for the twelve months prior to each September 1st as calculated by the United States department of labor. The declaration of the Washington State Department of Labor and Industries each September 30 regarding the rate by which Washington State's minimum wage rate is to be increased effective the following January 1, shall be the authoritative determination of the rate of increase to be applied for purposes of this chapter. Notwithstanding the foregoing, until the end of 2017, Small Business or Nonprofit Organization Employers shall pay shall pay at least the following minimum wages for each hour worked within the geographic boundaries of the City of Seattle: $11/hour during 2015; $12.25/hour during 2016; and $13.50/hour during 2017. Commencing January 1, 2018, Small Business and Nonprofit Organization Employers shall pay the General Minimum Wage as established in this section. Tips or Service Charges may not be included in determining whether an Employer is paying the wages required in this chapter.

Sec. 4. Prohibiting Misappropriation of Service Charges or Tips.
An Employer may not take a Tip or Service Charge which shall be retained by or paid to the nonmanagerial, nonsupervisory Employee (or pool of Employees if Tips or Service Charges are pooled) who performed the services for the customer for which the Tip or Service Charge is paid.

Sec. 5. Employee Education and Related Enforcement Provisions.
A. Employers required to post workplace regulations under state law shall post a notice to Employees of the Minimum Wage and Related Provisions provided by this Chapter.
B. The City shall establish a community-based outreach program to help prevent violations of this chapter and to investigate alleged violations. Through the program, the City shall contract with a community-based organization or organizations to provide education and outreach to Employees about their rights under this Chapter. Education and outreach may be targeted to industries with a high concentration of low-wage workers. The contractor shall accept and investigate complaints from Employees who believe a violation may have occurred. The contractor shall endeavor to informally resolve complaints it concludes may be meritorious or may refer the complaint to the City of Seattle for formal or further investigation and enforcement.
C. The City shall adopt rules to ensure compliance with this Chapter including but not limited to the notice and posting requirements, audits of Employers, and administrative complaint investigation, and enforcement proceedings.
D. Any person who has been injured by a violation of this Chapter may commence a civil action in Superior Court or any other court of competent jurisdiction within three (3) years of the alleged violation or date when it should have been reasonably discovered. A person bringing such action need not exhaust administrative remedies before bringing an action nor shall an investigation or an enforcement proceeding bar or delay a person from bringing an action. A person who prevails in such an action shall be entitled to recover treble the amount of wages or moneys unlawfully withheld or not paid, plus reasonable attorneys' fees and costs. In addition, the Court may order any other remedies available at law or in equity, including but not limited to reinstatement, and injunctive relief. Any violation of this Chapter may also be the subject of an enforcement proceeding by the City of Seattle with the same remedies and in this case any amounts recovered as treble unpaid wages being paid to the injured Employee, and reasonable attorneys fees and costs paid to the City).

Sec. 6. Retaliation for Exercise of Rights Prohibited.
No Employer shall take adverse action against, or discharge, threaten, harass, demote, penalize, or in any other manner discriminate or retaliate against any Employee:
A. Because such Employee has made an oral or written complaint, formal or informal, to his or her Employer, to the City of Seattle or its agents or contractors, to an enforcement agency, or to any other person, that the Employer has engaged in or is engaging in conduct that the Employee believes may have violated this Chapter, or because the Employer believes that such Employee has made such a complaint, absent proof by clear and convincing evidence that the oral or written complaint was made with knowledge of its falsity or with reckless disregard as to whether the complaint was true or false; or
B. Because such Employee has caused to be instituted or is about to institute a proceeding under or related to this Chapter; or
C. Because such employee has provided information relevant to a determination as to whether an Employer has engaged in or is engaging in conduct that an Employee believes may have violated this Chapter to an enforcement agency or any other person; or
D. Because such Employee has testified or is about to testify in an investigation or proceeding under this ordinance; or
E. Because the Employer has received an adverse determination from the City involving the Employee's claims regarding whether an Employer has violated or is violating the Chapter; or

F. Because such Employee has provided assistance or information to any other Employee regarding any of the above actions; or
G. Because such Employee has otherwise exercised rights protected under this Chapter.
An Employee complaint or other communication need not make explicit reference to any section or provision of this Chapter to trigger the protections of this Section. Reporting or threatening to report suspected or known citizenship or immigration status of an Employee or a family member of the Employee to a federal, state, or local agency because the Employee exercised rights under this Chapter constitutes retaliation for purposes of establishing a violation of an Employee's rights.

Sec. 7. Stakeholder Committee Regarding Public Support.
A. Within ninety days after the enactment of this Chapter, the Mayor and City Council shall convene a stakeholder committee that shall evaluate and make recommendations to the Mayor and City Council concerning public funding, tax credits or other public support for Small Business, child care providers or Nonprofit Organizations to help them in paying the minimum wages required in this chapter.

Sec. 8. Non-Waivability Through Individual Agreements.
The provisions of this Chapter may not be waived by agreement between an individual Employee and an Employer.

Sec. 9. Liberal Construction and Severability.
A. This chapter shall be liberally construed in favor of its purposes. Any ambiguity in the meaning of this chapter is to be resolved in favor of stronger remedies for or broader protections of Employees to fulfill the remedial purposes of this chapter. The burden of proof to show a violation or damages under this chapter is a preponderance of the evidence. Nothing in this chapter shall be construed to preclude any person aggrieved from seeking judicial review of any final administrative decision or order made under this chapter affecting such person.
B. The several provisions of this Chapter are declared to be separate and severable and an order of any court of competent jurisdiction holding invalid any clause, sentence, paragraph, subdivision, section, or portion of this Chapter, or holding invalid the application thereof to any person or circumstance, shall not affect the validity of the remainder of this Chapter or the validity of its application to other persons or circumstances.
C. This Chapter is intended to provide Employee Wage protections and remedies as expansive as possible under State or Federal law. In the event that any provision or aspect of enforcement or remedies provided for herein is adjudicated to be invalid or unenforceable, the validity or enforceability of the remaining provisions shall be unaffected. All remedies provided in this chapter are in addition to any others under any other law. If any other city, state or federal law provides an Employee with a right to be paid a minimum Wage higher than a Wage required in this chapter, then this chapter shall be construed as to allow, and not conflict with, such right to be paid such higher minimum Wage.
D. Nothing herein shall be construed to preclude existing remedies for enforcement of Seattle Municipal Code provisions.

Sponsor Information:

Vote $15
PO Box XXXX
Seattle, WA XXXX
Phone - 206.322.3010
email - XXXX
web - XXX

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8056 SUNNYSIDE AVE. N.
SEATTLE, WA 98103
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cleve@clevelandstockmeyer.com

FILED
CITY OF SEATTLE
2014 APR 14 AM 8:15
CITY CLERK

April114, 2014

BY HAND

Monica Martinez Simmons, City Clerk
600 Fourth Avenue, Third Floor
Seattle WA 98004

Re: Proposed charter amendment to raise minimum wage in Seattle to $15/hour

Dear City Clerk:

Please find enclosed a hard copy and electronic copy of a proposed petition for a City of Seattle Charter Amendment to raise the minimum wage in Seattle to $15 an hour. These are provided to you for filing.

The sponsor/petitioner is ~~Susan~~ Sarah White. The contact person for these filings is myself and I may be contacted at the above address, phone and e mail.

If there are any questions please do not hesitate to call, or e mail. I also request, that if you send any notice or letter by *regular* mail, you also send a copy by *e mail* to me at the above e mail address

Thank you for your attention to this important process.

Very truly yours,

Cleveland Stockmeyer

Encl.