

Ballot measure in San Jose would boost hours for part-time employees

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1 COMMENT



Sarah Delte, and David Urhausen, right, lead a group from Silicon Valley Rising to file paperwork for the Opportunity to Work Initiative; San Jose City Hall, Jan. 25, 2016. (Gary Reyes, Bay Area News Group)

SAN JOSE -- In an effort to improve job benefits for low-wage earners, South Bay labor activists on Monday filed papers for a November ballot measure that would require San Jose employers to boost working hours for part-time employees before hiring more part-time staff.

"My pay will go up if I get more hours," said Sarah Delte, who said she earns \$10.30 an hour at two fast-food chain restaurants but doesn't enjoy basic benefits because she works part-time at each job. "I feel like I'm being pushed out of my hometown. I want to stay here where I was born and raised."

A coalition of labor leaders chose the 35-year-old San Jose native to submit the application for the "Opportunity to Work Ordinance" to City Clerk Toni Taber, who gave it a preliminary review at City Hall before two dozen or so cheering advocates and part-time, low-wage earners.

In general, the proposed law would require employers in San Jose to offer additional hours to part-time employees before they could hire more part-time or temporary workers or subcontractors. Small businesses

News of the ballot measure landing at City Hall seemed to catch elected officials and the business community by surprise.

In an email to this newspaper, Mayor Sam Liccardo said, "We just recently learned about the proposed initiative and have not yet had the opportunity to study the potential impacts that this type of proposal could have on our city."

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Councilman Johnny Khamis also didn't have time for a close read, but he worried that the proposal, combined with expected new drives to raise the sales tax and the minimum wage to \$15 an hour, would scare off businesses wishing to move or expand here.

"We may be undoing a lot of the work we've done to attract new business," Khamis said. "If it was just the one thing, it might not be so egregious."

Similarly, the San Jose Silicon Valley Chamber of Commerce issued a guarded response.

"As we understand it, if you have a business with more than 35 employees, this proposed ordinance will create a big obstacle to managing a flexible, part-time workforce," chamber president and CEO Matthew Mahood wrote in a email. "As of today, we don't know how many employees or employees this will affect, nor do we know whether this is a good thing for San Joseans."

If it makes it onto the ballot, the measure would likely draw strong opposition from several pro-business groups, fast-food restaurant chains and big-box retailers.

The measure is the brainchild of Silicon Valley Rising, a relatively new coalition of labor, community and religious leaders who have pledged to increase wages and win basic benefits for the working poor.

A major hindrance, they said, has been a growing business trend toward hiring legions of part-time workers to do the same tasks that fewer full-time employees could do -- but with greater benefits required by law and covered in part or whole by employers.

"It's unfair," said Ben Field, executive director of the South Bay AFL-CIO Labor Council and a primary writer of the initiative. "A number of employers avoid providing health care and other benefits by hiring new, part-time workers."

The proposal would benefit about 64,000 San Joseans who work part-time, according to Maria N. Fernandez, director of community organizing for the Working Partnerships USA branch.

Coalition members said the lack of additional hours hurts low-wage, part-time workers in various ways. For example, many are forced to take second or third jobs, also without benefits, and spend more money for transportation to these workplaces and less time with their families.

"Every day I see how my parishioners struggle to make ends meet," said the Rev. Jon Pedigo, pastor at Our Lady of Guadalupe Roman Catholic Church, a predominantly Latino, immigrant and working-class parish in East San Jose. The initiative would help low-wage part-time workers "cover their bills and put food on the table."

Before the measure wins a spot on the November ballot, city attorneys must sign off on the legal language of the initiative, and then supporters must collect about 19,000 valid signatures of registered San Jose voters.

"Our war chest is really the people," Fernandez said. "We already have the boots on the ground."



The Rev. Reginald Swilly and Carol Garvey, center, of the Silicon Valley Rising coalition meet with Ton Taber, city clerk, right, as they file paperwork for the Opportunity to Work Initiative. (Gary Reyes)