

# San Jose voters to decide on 'Opportunity to Work'

By Ramona Giwargis, [rgiwargis@bayareanewsgroup.com](mailto:rgiwargis@bayareanewsgroup.com)

Posted: 06/29/2016 08:30:44 AM PDT | Updated: a day ago

SAN JOSE -- Voters in November will decide whether to require San Jose businesses to offer extra hours to part-time employees before hiring more workers, the City Council decided Tuesday.

The South Bay AFL-CIO Labor Council gathered enough signatures to qualify the "Opportunity to Work" measure for the November ballot. It would apply to businesses with 35 or more employees but exclude government jobs and allow companies to apply for a "hardship" exemption.

The labor group and other advocates urged the City Council to adopt the measure as an ordinance. Putting it on the ballot would cost city taxpayers nearly \$1 million.

But the council voted 7-4 to place the measure on the November ballot and to ask Mayor Sam Liccardo to write a rebuttal against it. Councilmen Ash Kalra, Raul Peralez, Tam Nguyen and Donald Rocha were opposed.

Labor advocates and part-time workers said the measure would boost living conditions for thousands of low-wage earners struggling to survive in Silicon Valley. They argue some businesses prefer part-timers to avoid paying for costly health and retirement benefits that full-time workers expect.

"There are people who work three jobs and still don't have health benefits," said Jeremy Barousse, who helped gather signatures. "When people can focus on one full-time job, they're able to manage their resources and remain healthier."

## Advertisement

The measure also drew support from business leader Tom Steyer, Congressman Mike Honda and his challenger Ro Khanna, who said it's "good for employers, workers and taxpayers." Sunnyvale City Councilman Jim Davis said he hopes his city adopts a similar policy.

But business leaders, including officials from the San Jose Silicon Valley Chamber of Commerce, argued the measure would limit an employer's flexibility, add a layer of government oversight and open the door to frivolous lawsuits. Liccardo cited concerns from a local technology company that such a measure would make it reconsider plans to stay in San Jose.

"Flexibility is one of the cornerstones the restaurant community offers and one that is very much desired by many employed within the community," said Jessica Lynam of the California Restaurant Association. "The Opportunity to Work initiative creates substantial hurdles for employers to accommodate part-time workers who only desire part-time opportunities."

Only two other cities have similar policies. A SeaTac, Washington, measure sets minimum wage and paid leave requirements and requires offering more hours to part-timers before hiring more workers for businesses on or near the airport. San Francisco requires retail businesses, financial institutions and restaurants with 40

branches worldwide or those that employ 20 or more local employees to offer additional hours to part-time workers before hiring more employees.

If a majority of voters approve the measure, the city would enforce the policy through fines or citations.

Contact Ramona Giwargis at 408-920-5705. Follow her at [Twitter.com/ramonagiwargis](https://twitter.com/ramonagiwargis).

From around the web

Selected for you by a Sponsor

