

San Jose's 'opportunity to work' law goes into effect

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San Jose's "opportunity to work" ordinance was novel when adopted. Monday, the day it took effect, proponents held a City Hall rally to make sure it will be obeyed.

"We want to make sure that businesses and workers are aware of the new rule that protects part-time workers," said [Ben Field](#), executive officer of the South Bay AFL-CIO Labor Council.

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San Jose enacted the "opportunity to work ordinance" in November when 64 percent of voters approved Measure E.

The ordinance says employers of 36 or more workers must offer additional work hours to their own qualified part-time workers before hiring new people, which includes subcontractors and temporary staff.

The Silicon Valley Organization, formerly known as the **San Jose Silicon Valley Chamber of Commerce**, opposed the law but since its passage has been working with the city's Office of Equality Assurance to educate its members.

That includes assisting the drafting of FAQ's for employers and hosting information seminars, said Derrick Seaver, the organization's executive vice president.



DIANNA ZAMORA MARROQUIN — SOUTH BAY AFL-CIO LABOR COUNCIL

Ben Field, head of the South Bay AFL-CIO Labor Council, speaks to a City Hall rally on the day San Jose's "opportunity to work" ordinance takes effect.

“We are extremely thankful for the manner in which the city has conducted this work,” Seaver said. “Although we did not and do not support the ordinance, all employers in the city are committed to compliance and we are working to help make that as seamless as possible”.

The ordinance prompted the introduction of a similar statewide law, AB 5, which the organization also opposes.

“We remain opposed to its passage and will be tracking [the ordinance’s] impact on San Jose business,” Seaver said.

[Jeffrey Buchanan](#), public policy director for **Working Partnerships USA**, a labor-oriented think tank, said San Jose’s ordinance does not penalize businesses for the first violation. Subsequent violations, however, could result in court action that includes civil penalties, the award of back wages and legal fees to successful plaintiffs.

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