

SANTA CLARA UNIFIED SCHOOL DISTRICT

WAGE THEFT

RESOLUTION #15-37

WHEREAS, it is a priority of this District to promote healthy and safe learning environments for its students, including their home environment; and

WHEREAS, wage theft robs its victims of money used to house, feed and care for their families, affecting the health and welfare of the children and families that this District serves; and

WHEREAS, wage theft is rampant in the Santa Clara County, with 1073 judgments obtained by the San Jose Labor Commission between April 2011 and April 2014 and \$8.4 million awarded in 2012-2013, of which only \$2.8 million was collected; and

WHEREAS, wage theft resulted in \$40 million lost statewide in 2013-2014, depriving public bodies such as the District of crucial revenue to serve their constituents; and

WHEREAS, the District must advocate for policies that promote the health and welfare of its students; and

WHEREAS, Santa Clara County has adopted a policy that requires businesses with unsatisfied wage theft judgments to disclose these judgments when they bid on contracts and throughout the term of the contract and that gives the County the authority to revoke contracts if the judgments are not satisfied

WHEREAS, the District can also stand against wage theft by requiring similar disclosures of unsatisfied judgments, refusing to contract with any businesses that have unsatisfied wage theft judgments, and authorizing the District to revoke contracts of businesses with unsatisfied judgments:

RESOLVED, that this Board directs its legal staff to develop language to be included in all District contracts requiring potential contractors, subcontractors, and vendors to disclose any wage theft judgments issued against them in the bid process and during the term of the contract and to provide documentation that the wage theft judgment has been satisfied; and be it further

RESOLVED, that this Board directs its legal staff to develop protocols

to track wage theft judgment disclosures during the bid process and the term of the contract and disclosure by the public of potential contractors, subcontractors, and vendors with wage theft judgments issued against them; and be it further

RESOLVED, that this Board directs its legal staff to develop a proposal to amend the District's policies to bar it from contracting with potential contractors, subcontractors, and vendors who have not satisfied wage theft judgments or entered into a remediation plan to satisfy wage theft judgments issued against them; and be it further

RESOLVED, that this Board directs its legal staff to work with the Santa Clara County Wage Theft Coalition as needed to develop the proposals above.

DATED: November 12, 2015

Albert Gonzalez, Board President

Stanley Rose III, E.D., Board Secretary