City Oakland Living Wage for All Draft Ballot Measure Language

OAKLAND LIVING WAGE FOR ALL ACT OF 2026

Establishing a $30 Minimum Wage for All Workers in Oakland

Full text of City of Oakland Measure ____

MEASURE ____

This Measure will become effective only if submitted to the voters at the election held on November 3, 2026 and only after approval by a majority of the qualified voters voting in the election on the issue.

Section 1. Amendment to Oakland Municipal Code Sections 5.92.020 and 5.92.050(A)(1)

Section 5.92.020 and 5.92.050(A)(1) of the Oakland Municipal Code is amended as follows (new text shown in underline, deleted text shown in ~~strikethrough~~):

5.92.020 - Minimum Wage

A. Employers shall pay Employees no less than the Minimum Wage for each hour worked within the geographic boundaries of the City.

~~B. Beginning on the 2nd of March, 2015, the Minimum Wage shall be an hourly rate of $12.25. To prevent inflation from eroding its value, beginning on the 1st of January 2016, and then each year thereafter on the 1st of January, the Minimum Wage shall increase by an amount corresponding to the prior calendar year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area (or if such index is discontinued, then in the most similar successor index).~~

B. The Minimum Wage shall be established according to the following schedule:

1. For employers that employ 100 or more employees and have annual gross revenue exceeding $1,000,000,000.00, the hourly Minimum Wage shall be:

a. Beginning on July 1, 2027, the hourly Minimum Wage shall be $19.90.
b. Beginning on July 1, 2028, the hourly Minimum Wage shall be $23.30.
c. Beginning on July 1, 2029, the hourly Minimum Wage shall be $26.70.
d. Beginning on July 1, 2030, the hourly Minimum Wage shall be $30.00.

2. For employers that employ more than 25 employees but fewer than 100 employees, regardless of annual gross revenue; or employers that employ 100 or more employees and do not have annual gross revenue exceeding $1,000,000,000, the hourly Minimum Wage shall be:

a. Beginning on July 1, 2027, the hourly Minimum Wage shall be $18.38;
b. Beginning on July 1, 2028, the hourly Minimum Wage shall be $19.48;
c. Beginning on July 1, 2029, the hourly Minimum Wage shall be $20.65;
d. Beginning on July 1, 2030, the hourly Minimum Wage shall be $21.89;

e. Beginning on July 1, 2031, the hourly Minimum Wage shall be $23.20;
f. Beginning on July 1, 2032, the hourly Minimum Wage shall be $24.60;
g. Beginning on July 1, 2033, the hourly Minimum Wage shall be $26.07;
h. Beginning on July 1, 2034, the hourly Minimum Wage shall be $27.64;
i. Beginning on July 1, 2035, the hourly Minimum Wage shall be $30.00.

3. For employers that employ 25 or fewer employees, regardless of annual gross revenue, the hourly Minimum Wage shall be:

a. Beginning on July 1, 2027, the hourly Minimum Wage shall be $18.21;
b. Beginning on July 1, 2028, the hourly Minimum Wage shall be $19.12;
c. Beginning on July 1, 2029, the hourly Minimum Wage shall be $20.07;
d. Beginning on July 1, 2030, the hourly Minimum Wage shall be $21.08;
e. Beginning on July 1, 2031, the hourly Minimum Wage shall be $22.13;
f. Beginning on July 1, 2032, the hourly Minimum Wage shall be $23.24;
g. Beginning on July 1, 2033, the hourly Minimum Wage shall be $24.40;
h. Beginning on July 1, 2034, the hourly Minimum Wage shall be $25.62;
i. Beginning on July 1, 2035, the hourly Minimum Wage shall be $26.90;
j. Beginning on July 1, 2036, the hourly Minimum Wage shall be $28.25;
k. Beginning on July 1, 2037, the hourly Minimum Wage shall be $30.00.

4. For purposes of Subsection (B), the number of employees and annual gross revenue shall be determined as follows:

a. The number of employees shall include all persons employed by the employer, including full-time, part-time, temporary and seasonal employees; shall be calculated based on the average number of employees employed per week during the preceding calendar year; and, if an employer did not operate for the full preceding calendar year, the number of employees shall be determined based on the average number of employees employed per week during the period of operation.
b. All persons or entities that constitute an integrated enterprise shall be considered a single employer, including entities that are sufficiently integrated based on interrelation of operations; common management; centralized control of labor relations; and common ownership or financial control.
c. For employers that operate multiple locations or are part of a chain or franchise, the total number of employees shall include all employees employed across all locations nationwide. Where a business is operated pursuant to a franchise, the employees of the franchisor and franchisees shall be aggregated to the extent they constitute an integrated enterprise or are operated as part of a chain.
d. “Annual gross revenue” means the total gross receipts of the employer from all sources for the preceding calendar year. For employers that are part of an integrated enterprise or chain, annual gross revenue shall be calculated by aggregating the gross revenue of all entities comprising the integrated enterprise or chain.

C. Except where a scheduled increase is provided in Subsection (B) for that calendar year, beginning January 1 of each year the Minimum Wage shall increase by the greater of the prior calendar year's increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area, or by three percent (3%), whichever is greater. If such index is discontinued, then the most similar successor index shall be used.

D. The minimum wage established for all covered employees shall converge into a single uniform minimum wage within a period not to exceed ten (10) years after employers in Subsection (B)(3) reach $30.00. The Office of the Mayor shall develop and implement a schedule and method for achieving this convergence, provided that the minimum wage for each tier shall continue to increase annually by no less than the minimum adjustment set out in Subsection (C), and the unified minimum wage shall be fully implemented no later than ten (10) years after small employers in Subsection (B)(3) reach $30.00.

E. The Office of the City Administrator or its designee shall announce the adjusted Minimum Wage rate on December 1 of each year, and publish notice of the adjusted rates on the City's website and through other appropriate means of public notice. The adjusted rate shall take effect on January 1 of the following year.

F. Family Child Care Providers: Family childcare providers, as defined by California Welfare and Institutions Code (WIC) Section 10421(b), shall receive compensation that is equivalent to at least the wages established in Subsection (B)(3) of this section. The intended revenue source for these payments shall include subsidy payments from the State of California and Alameda County Measure C (2020) funds, as set forth in Article VI of Chapter 2.08 of the Alameda County Ordinance Code. Subsidized family child care providers shall receive wage enhancements, operating grants, other funds from Alameda County Measure C (2020), or other available funding sources, sufficient to pay their employees at least the wages established in Subsection (B)(3) of this section. To the extent Measure C funds are insufficient to compensate providers and their employees at levels equivalent to the wages established in Subsection (B)(3) of this section, the City will study other means of funding for such purpose.

G. Notwithstanding Subsection (B), the Minimum Wage shall be set in accordance with the schedule set forth in Subsection (B)(1) for all janitorial employers that employ any number of individuals to perform janitorial or building maintenance services in the City of Oakland. Janitorial employer has the same meaning in this section as California Labor Code 1420(g)(1).

5.92.050 - Enforcement

A. Retaliation.

1. A Person shall not discharge, reduce the compensation of nor otherwise discriminate against any Person for making a complaint to the City, participating in any of its proceedings, using any civil remedies to enforce his or her rights, or otherwise asserting his or her rights under this Chapter. Within one hundred twenty (120) days of an Employer being notified of such activity, it shall be unlawful for the Employer to discharge any Employee who engaged in such activity unless the Employer has clear and convincing evidence of just cause for such discharge. In the case of a willful violation of

this Subsection, the amount damages attributable to lost income due to the violation shall be trebled.

Section 2. Amendments to Oakland Municipal Code Sections 5.93.040 and 5.93.080(A).

Section 5.93.040 and 5.93.080(A) of the Oakland Municipal Code is amended as follows (new text shown in underline, deleted text shown in ~~strikethrough~~):

5.93.040 - Hotel Employee Minimum Wage

B. Health benefits under this Section shall consist of the payment of the difference between the higher wage (without health benefits) and lower wage (with health benefits) under Section 5.93.040(A) towards the provision of health care benefits for hotel employees and their dependents. Proof of the provision of these benefits must be kept on file by the hotel employer, if applicable.

C. The wage rates set forth in this Section shall be adjusted for inflation annually in the manner set forth in Section 5.92.020~~(B).~~(C), provided that in no instance shall either the higher wage (without health benefits) or the lower wage (with health benefits) be lower than the applicable wage rate set forth in Section 5.92.020(B)(1), regardless of the hotel employer's number of employees or gross annual revenue.

5.93.080 - Enforcement and miscellaneous provisions.

A. This Chapter shall be enforced in accordance with the procedures set forth in Oakland Municipal Code Section 5.92.050, and the remedies set forth in that Section shall apply to violations of this Chapter, ~~except~~ including that for a willful violation of Section 5.93.060, the amount damages attributable lost income due to the violation shall be trebled.

Section 3. Additional Provisions

A. Remaining Code Provisions Unchanged.

Except as expressly amended in Sections 1 and 2 of this Ordinance, all provisions of Chapters 5.92 and 5.93 of the Oakland Municipal Code remained unchanged under this Ordinance.

B. Severability

If any section, Subsection, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional, the remaining portions shall remain in full force and effect.

C. Effective Date

This Ordinance shall take effect thirty (30) days after final adoption. The wage increases specified in Sections 1 and 2 shall become effective on the dates specified in those sections.