

1 form of grants, subsidies, loan guarantees or industrial revenue bonds in excess of
2 twenty-five thousand dollars (\$25,000.) to those employed by such entity for the duration
3 of the city grant or subsidy; and

4 (4) Businesses required to have a business license or business registration
5 from the city of Santa Fe who, during any given month, have twenty-five (25) or more
6 workers, or in the case of not-for-profit organizations, who have twenty-five (25) or more
7 workers, shall pay the minimum wage to their workers for all hours worked within the
8 city of Santa Fe that month. For purposes of this paragraph, worker shall not include any
9 person who is related by blood or by marriage to any person who may have or possess
10 any ownership interest in the business that employs them. For purposes of calculating
11 the number of workers under this section and identifying persons entitled to be paid the
12 minimum wage, all individuals employed by or providing work to the business for
13 compensation, whether on a part-time, full-time or temporary basis, during a given month
14 shall be counted as a worker. This definition shall include contingent or contracted
15 workers, and persons made available to work through the services of a temporary service,
16 staffing or employment agency or similar entity. However, interns working for a business
17 for academic credit in connection with a course of study at an accredited school, college
18 or university or persons working for an accredited school, college or university while also
19 attending that school, college or university, or persons working for a business in
20 connection with a court-ordered community service program such as teen court or
21 workers who are in an apprenticeship program in a 501C(3) organization (such as the
22 Santa Fe Opera) shall not be counted as a worker for such purposes.

23 B. Beginning January 1, 2004, the minimum wage shall be an hourly rate of eight
24 dollars and fifty cents (\$8.50). In computing the wage paid for purposes of determining
25 compliance with the minimum wage, the value of health benefits and childcare shall be

1 considered as an element of wages. On January 1, 2006, the minimum wage shall be increased to
2 an hourly rate of nine dollars and fifty cents (\$9.50). On January 1, 2008, the minimum wage
3 shall be increased to an hourly rate of ten dollars and fifty cents (\$10.50). Beginning January 1,
4 2009, and each year thereafter, the minimum wage shall be adjusted upward by an amount
5 corresponding to the previous year's increase, if any, in the consumer price index for the western
6 region for urban wage earners and clerical workers. Proposed increases to the minimum wage
7 after 2006, as set out in this ordinance, are advisory only and not self-executing and shall not
8 come into effect until approved by ordinance of the governing body after review of the impact of
9 previous minimum wage increases, relevant studies and any appropriate data.

10 C. For workers who customarily receive more than one hundred dollars (\$100.) per
11 month in tips or commissions, any tips or commissions received and retained by a worker shall be
12 counted as wages and credited towards satisfaction of the minimum wage provided that, for
13 tipped workers, all tips received by such workers are retained by the workers, except that the
14 pooling of tips among workers shall be permitted.

15 D. Nonprofit organizations whose primary source of funds is from Medicaid waivers
16 are exempt.

17 PASSED, APPROVED, and ADOPTED this 14th day of December, 2005.

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20 LARRY A. DELGADO, MAYOR

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22 ATTEST:

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24 _____
25 TINA DOMINGUEZ, CMC, ACTING CITY CLERK

1 APPROVED AS TO FORM:

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4 BRUCE THOMPSON, CITY ATTORNEY

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25 Jp/cmassign/living wage/increase review ord