

# COMMISSION ON LABOR REGULAR MEETING

# Wednesday, January 25, 2023 7:00 PM

Zoom link: https://us06web.zoom.us/j/85399338378

To join by phone: Dial US: 1-669-900-6833 and Enter Meeting 853 9933 8378

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference.

Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

If you do not wish for your name to appear on the screen, then use the dropdown menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.

#### **AGENDA**

Roll Call

**Public Comment on Non-Agenda Matters** 

## **Minutes for Approval**

Draft minutes for the Commissions consideration and approval.

1. Minutes of November 30, 2022 Special Meeting

From: Commission Secretary

**Recommendation:** Approve the draft minutes of the November 30, 2022 special

meeting.

**Chairperson's Report:** The Commission Chair may make announcements or provide information to the Commission in the form of an oral report. The Commission will not take action on such items but may request the items be placed on a future agenda for discussion.

## **Commission Action Items**

The public may comment on each item listed on the agenda for action as the item is taken up.

NONE

**Presentations** (for information only, no final action taken)

City of Berkeley Community Workforce Agreement (CWA) outcomes FY20current

From: Commission Secretary

## **Committee Updates**

None

**Information Items:** All items for discussion only and no final action.

3. Election of Officers

From: Commission Secretary

4. FY2024 Workplan

From: Commission Secretary

5. 2023 Commission on Labor Meeting Location

From: Commission Secretary

6. Update on FAST Recovery Act

From: Chair Berne

## **Items for Future Agendas**

These items are not scheduled for discussion or action at this meeting. The Commission may schedule these items to the Action Calendar of a future Commission meeting

Discussion of items to be added to future agendas

## **Adjournment**

#### Attachments:

- 1. Draft November 30, 2022 Meeting Minutes
- 2. CWA Outcomes FY20-current
- 3. Election of Officers Commissioners' Manual
- 4. Work Plans Commissioners' Manual
- 5. Commission on Labor Enabling Legislation BMC CHAPTER 3.62
- 6. California's controversial FAST Act might be on pause until 2024 election

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to **Joshua Oehler, Secretary, (510) 981-5408 JOehler@cityofberkeley.info**.

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: E-mail addresses, names, addresses, and other contact information are not required but, if included in any communication to a City board, commission, or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission, or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission, or committee for further information.

Written material may be viewed in advance of the meeting at the Housing & Community Services Department, 2180 Milvia, 2nd Floor, during regular business hours or at the Berkeley Public Library, Shattuck/Kittredge Streets, during regular library hours at the Reference Desk. The Commission Agenda and Minutes may be viewed on the City of Berkeley website: <a href="https://berkeleyca.gov/your-government/boards-commissions/commission-labor">https://berkeleyca.gov/your-government/boards-commissions/commission-labor</a>.

#### COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

I hereby certify that the agenda for this regular/special meeting of the Berkeley City Commission on Commissions was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on **January 19, 2022**.

Johns De

#### SECRETARY SIGNATURE

Joshua Oehler January 19, 2023

#### Secretary:

Joshua Oehler Health, Housing & Community Services Department (510) 981-5408

E-mail: JOehler@cityofberkeley.info

#### **Mailing Address:**

Commission on Labor Joshua Oehler, Secretary 2180 Milvia, 2<sup>nd</sup> Floor Berkeley, CA 94704

## **Communications**

None

#### Attachment 1



Health Housing and Community Services Department Housing & Community Services Division Commission on Labor

## COMMISSION ON LABOR SPECIAL MEETING

Wednesday, November 30, 2022 7:04 PM On-Line and Teleconference (No Physical Location) DRAFT MINUTES

## **Preliminary Matters**

1. Roll Call

Present: Berne, Harlow, Katz, Osborne, Scantlebury.

Absent: Jones (unexcused)

Staff Present: Joshua Oehler, Billi Romain- Department of Planning &

Development

Members of the Public: 0

2. Public Comments

None

3. Approval of Draft September 21, 2022 Meeting Minutes

Action: M/S/C (Scantlebury/Osborne) to approve the September 21, 2022

Regular Meeting Minutes

Vote: Ayes: Berne, Harlow, Katz, Osborne, Scantlebury. Noes: None.

Abstentions: None. Absent: Jones.

## **Action Items**

4. Review and adopt 2023 Commission on Labor calendar of meetings with one change: moving the January meeting from the 18<sup>th</sup> to the 25<sup>th</sup>.

Action: M/S/C (Katz/Harlow)

Vote: Ayes: Berne, Harlow, Katz, Osborne, Scantlebury. Noes: None.

Abstentions: None. Absent: Jones.

#### Adjournment

<u>Action:</u> M/S/C (Scantlebury/Harlow) to adjourn the meeting at 8:27 PM <u>Vote:</u> Ayes: Berne, Harlow, Katz, Osborne, Scantlebury. Noes: None.

Abstentions: None. Absent: Jones.

Commission on Labor Meeting DRAFT Minutes November 30, 2022

Approved: \_\_\_\_\_\_, Joshua Oehler, Secretary

## Attachment 2

CWA Outcomes FY20-current							
	CWA Projects	Total Hours Worked	Total Hours Worked by Berkeley Residents	Number of Crafts Meeting Local Hiring Goal	Total New Apprentices	Total Hours of New Apprentices	Number of Projects Meeting Local New Apprentice Goals
FY20	13	18,994.50	827.00	0.00	8	Not Reported	0
FY21	8	9,544.25	0.00	0.00	2	Not Reported	0
FY22	8	5,084.25	0.00	0.00	2	Not Reported	0
FY23	4	N/A	N/A	N/A	N/A	N/A	N/A
Totals	33	33,623.00	827.00	0	12		0

Note: The data is as of 01/19/2023 and is based on incomplete reporting

## 3) Incompatible Public Offices

The common law doctrine of incompatible public offices prohibits a public official from occupying two public offices that are incompatible in terms of their duties and/or the likelihood of divided loyalties. However, in Berkeley, serving on two or more City boards or commissions, including quasi-judicial bodies, is permitted (BMC Chapter 3.80). A commissioner who already occupies an elected or appointed office other than a City board or commission and wants to apply for appointment to a City commission should seek the City Attorney's advice as to whether the two offices may be deemed incompatible.

## 4) Incompatible Activities for Compensation

Government Code Section 1126 prohibits a public official from engaging in activities for compensation that are incompatible with his or her public office. A commissioner engaged in compensated activities that may be incompatible with his or her duties as a commissioner should consult the City Attorney.

## 5) State-Mandated Ethics Training

State law (AB 1234) requires certain local agency officials to receive training in ethics. In Berkeley, the officials identified for requirement are Mayor and City Council, City Auditor, Rent Stabilization Board Commissioners, Board of Library Trustees, and Police Review Commissioners.

These officials will receive a notice from the City Clerk advising them of the required training. The training may be completed on the FPPC website. The training must be completed within one year of the date of appointment and every two years thereafter. A certification of completion must be filed with the City Clerk. For more information, please contact the City Clerk Department.

#### F. COMMISSION ORGANIZATION

## 1) Election of Officers and Terms of Office

Unless otherwise provided by ordinance,<sup>2</sup> the chair and vice-chair are elected by the majority of the commission for a one-year term and hold office until their successors are elected or until their terms as members of the commission expire. No commissioner shall serve as chair for more than two consecutive years. There is no term limit for vice-chair.

Unless otherwise provided for in the enabling legislation, the annual election of commission officers should occur during the month of February. The election of officers must be listed as an item on the agenda.

Two meetings prior to the meeting at which officers will be elected, commissions are encouraged to list as an agenda item a discussion of the election, to inform all commissioners of the opportunity to seek nomination and election for the offices of chair and vice chair, to discuss and agree to the nomination process and timing for nominations (if no policy has been enacted by the commission), and to add clarity for commissioners and the

City of Berkeley 35 Commissioner's Manual

<sup>&</sup>lt;sup>2</sup> Election of officers to the Police Review Commission, Board of Library Trustees, and Landmarks Preservation Commission are regulated by BMC Sections 3.32.050, 3.04.040, and 3.24.030, respectively.

public. In order to facilitate an orderly and fair nomination process, commissions may open nominations at the January meeting (or the meeting prior to the February meeting) and then hold the vote on officers at the February meeting. A Commission may enact a policy on officer elections in conformance with the requirements stated below, specifying the timing for nominations, the order in which nominations will be voted upon, and any other details that support a fair, orderly and transparent process for election of officers.

If there are multiple nominees for chair or vice-chair, the commission may wish to use a process by which all nominations can be made prior to voting. Full discussion of nominations is recommended, including the ability of nominees to speak on behalf of their own candidacy.

Additional regulations for officer elections:

- Nominations for chair and vice-chair require a motion (with second).
- A commissioner may nominate himself or herself.
- Any member of the commission, regardless of length of tenure on the commission may be elected chair or vice-chair.
- There is no automatic succession from vice-chair to chair.
- Motions to nominate must be voted on in the public forum, and no secret ballots are allowed.
- A roll call vote is recommended for votes on commission officers, and is required if any commissioner requests a roll call vote.
- The results of the vote must be publicly announced and the vote recorded in the minutes (Resolution No. 60,531-N.S.).
- A commissioner may not be elected chair if he or she will not be able to finish the term due to the two-year limitation.

Terms of office for officers are determined by the date the election regularly occurs, not by the date it may have actually occurred. If there is a slight variation in the date of the election, the sitting chair may serve on an interim basis provided that they do not exceed the two-year limit.

#### Scenario:

The chair is elected in February 2016. The chair resigns in April 2016. A new chair is elected in May 2016. The newly elected chair will serve from May 2016 to February 2017, when the next regular election is held.

## 2) Mandatory Annual Training for Chairs and Vice-Chairs

Chairs and vice-chairs are required to complete mandatory annual training. Resolution No. 63,876-N.S. was adopted by the City Council to implement video training for commission officers to satisfy the requirements of Resolution No. 60,531-N.S.

The chair and vice-chair must view, in its entirety, a training video on commission procedures and legal requirements. Upon completion, the chair and vice-chair must file with the City Clerk an Affirmation of Completion.

This training video must be viewed and the Affirmation of Completion must be filed with the City Clerk no later than 60 calendar days from the date of election as chair or vice-chair. Failure to complete the video training and file the Affirmation of Completion within 60 days of election will result in the immediate forfeiture of the position of chair or vice-chair.

Commission officers must file an Affirmation of Completion within 60 days from the date of election or forfeit their seat as chair or vice-chair.

While not mandatory for commissioners other than the chair and vice-chair, completion of this training is encouraged for all commissioners.

The required training video may be viewed online through the city website - <a href="https://www.cityofberkeley.info/commissions/">https://www.cityofberkeley.info/commissions/</a> or a DVD may be obtained from the City Clerk Department at 2180 Milvia Street, 1st Floor. The City Clerk also offers a video terminal at its office for commissioners to view the training video.

## 3) Duties of Officers

The "presiding officer" (chair or, in his or her absence, the vice-chair), performs the following duties.

- Presides at all meetings of the commission and ensures that the work of the commission is accomplished. To this end, the chair must exert sufficient control of the meeting to eliminate irrelevant, repetitious, or otherwise unproductive discussion. At the same time, the chair must ensure that all viewpoints are heard and are considered in a fair and impartial manner.
- Ensures that commission bylaws, if any, and procedures are followed. The chair cannot make rules related to the conduct of meetings; only the full commission may do so.
- Appoints commissioners to temporary subcommittees subject to the approval of the full commission.
- Approves the agenda prior to distribution. This is limited to the structure and order of the agenda and does not grant the chair the authority to remove an item submitted by commissioners or staff if submitted by the established deadline.
- Signs correspondence on behalf of the commission.
- Represents the commission before the City Council. Other commissioners may be the representative with the formal approval of the commission by motion and vote.
- Approves commission reports to Council. The chair cannot modify content that was approved by the full commission.
- The chair or a quorum of the commission may call a special meeting.
- The chair and vice-chair have full rights to vote and to make or second motions.

City of Berkeley 37 Commissioner's Manual

## 4) Transfer of Chair

In the absence of the chair or his or her inability to act, the vice-chair presides in place of the chair, but does not assume the office of chair. In the event of the absence or the inability to act of both the chair and the vice-chair, the remaining commissioners elect one of their members to act as temporary chair.

If a chair is terminated from the commission for any reason, or resigns, the office is vacated, and a new election for chair must be held to fill the office. The vice-chair does not assume the office of chair, rather they preside over the meetings and execute the chair's duties as the vice-chair. If a vice-chair is terminated, the office is vacated, and a new election would be held to fill the office. If an officer is terminated and subsequently reappointed to the commission, he or she shall not resume the office and must be reelected to the office by the majority of the membership.

In the event a chair leaves the commission prior to the end of his or her term, the vice-chair performs the duties of chair but does not assume the office of chair. An election must be agendized and a new chair must be elected at a subsequent meeting. The vice-chair may be elected as chair, as may any other commissioner, but the commission must vote on the election.

## 5) Temporary Subcommittees/Ad Hoc Subcommittees

From time to time, the commission or the chair, with the confirmation of the commission, may appoint several of its members, but fewer than a quorum of the present body, to serve as a temporary subcommittee. Commissions are limited to the creation of ad hoc single purpose subcommittees. Ad hoc subcommittees are treated as if they are legislative bodies under City policy and, as such, are required to comply with the requirements in the Brown Act.



Ad hoc subcommittees are defined by <u>all</u> of the following characteristics.

- Composed of less than a quorum of the parent body.
- Composed of only members of the parent body (no members of other commissions or any other persons may be included).
- Have a finite purview established by the parent body.
- Have a set target date to report back to the parent body.
- Terminate within one year, unless the parent body reviews and extends the timeline.
- Have no regular meeting schedule set by the parent body (all subcommittee meetings are "special meetings").
- Have no alternate commissioner assigned to attend meetings, even as an observer, if his or her presence would create a quorum of the parent body.

Subcommittees are advisory only to their parent commission, not to Council. Subcommittees are tasked with the study of a specific issue and with making a recommendation to their parent commission. The parent commission has the opportunity for input when the subcommittee reports

D. Commission Purview Attachment 4
Chapter I. Introduction

- Elmwood Business Improvement District Advisory Board
- Energy Commission
- Homeless Commission
- Housing Advisory Commission (policy)
- Human Welfare & Community Action Commission
- Loan Administration Board
- Mental Health Commission
- Open Government Commission
- Parks and Waterfront Commission
- Peace & Justice Commission
- Police Review Commission
- Public Works Commission
- Solano Avenue Business Improvement District Advisory Board
- Sugar-Sweetened Beverage Product Panel of Experts
- Transportation Commission
- Youth Commission
- Zero Waste Commission

## D. COMMISSION PURVIEW

Every commission is created by enabling legislation, which may take the form of an ordinance or resolution. The enabling legislation defines the role, scope, and responsibilities of the commission. The enabling legislation is how the City Council assigns and defines what types of work each commission may undertake and limits on what type of recommendations each commission may make.

In order for commission recommendations to have significant meaning in the eyes of the City Council, all commissions should take special care to ensure that they remain within their subject area purview and the constraints of their enabling legislation. Occasionally two or more commissions will have overlapping subject matter. In these cases, the secretaries should work together to ensure the subject is handled by the proper commission (see Chapter III, Section C, page 38).

## E. DEVELOPMENT OF A WORK PLAN

In 2016, the City Council took formal action directing all commissions, except Board of Library Trustees (BOLT), Design Review, and Zoning Adjustments Board (ZAB), to submit an annual work plan at the start of each fiscal year to the Council in the form of an Information Report. A commission work plan should contain the commission's mission statement, goals, resources, activities, outputs, and desired outcomes. This planning document specifies how and when the commission plans to accomplish its objectives (by specifying outcomes) during the fiscal year. Goal statements explain the nature and scope of the work to be performed and the time needed to accomplish the goal.

Designing yearly work plans or goal statements may be done in conjunction with the development of the relevant departmental work plan so that the work of the department and the commission will complement each other throughout the year.

When developing a work plan, commissions should take special care to ensure that they remain within the subject area purview of their enabling legislation.



# Chapter 3.62 COMMISSION ON LABOR

#### Sections: 3.62.010 Establishment--Membership--Appointment. 3.62.020 Appointment--Automatically terminated when--Procedures. 3.62.030 Liaison representatives--From other commissions. Liaison representatives--To other City entities--Functions. 3.62.040 3.62.050 President--Election and term. 3.62.060 Meetings. 3.62.070 Organization, quorum and record keeping. 3.62.080 **Functions.** 3.62.090 Membership--Criteria for guiding appointments.

## 3.62.010 Establishment--Membership--Appointment.

A Labor Commission is established. The commission shall consist of nine members. Appointments to the commission shall be made by councilmembers, and vacancies on the commission shall be filled by councilmembers in accordance with the provisions of Sections  $\underline{2.04.030}$  through  $\underline{2.04.130}$  of this code. (Ord. 5699-NS § 1 (part), 1986)

## 3.62.020 Appointment--Automatically terminated when--Procedures.

Commissioners shall adhere to the attendance rules and commission secretaries and the City Clerk shall adhere to the termination procedures as set forth in BMC Section 3.02.020 and the City of Berkeley Commissioners' Manual. (Ord. 6897-NS § 1, 2006: Ord. 5699-NS § 1 (part), 1986)

## 3.62.030 Liaison representatives--From other commissions.

Members of any appropriate commission or commissions shall act as liaison representatives between the Labor Commission and the commission of which they are members. Such liaison representatives shall serve for a period of one year and shall have no power to vote. (Ord. 5699-NS § 1 (part), 1986)

## 3.62.040 Liaison representatives--To other City entities--Functions.

Subject to the approval of the council in each case, the commission may designate one of its members to act as a liaison representative to any other board, commission or committee of the City. The functions of such liaison representatives are to attend meetings of other boards, commissions, or committees; advise this commission of the background, attitudes and reasons behind the actions of such other boards, commissions or committees; and on request of any member of such other board, commission or committee, to advise such other board, commission or committee of policy, procedures and decisions of this commission that may bear upon matters under discussion by such other board, commission or committee. Such liaison representatives shall have no power to vote. (Ord. 5699-NS § 1 (part), 1986)

## 3.62.050 President--Election and term.

The Labor Commission shall elect one of its members chair, and one member vice-chair, who shall hold office for one year and until their successors are elected, unless their term as a member of the commission expires sooner. (Ord. 6897-NS § 2, 2006: Ord. 5699-NS § 1 (part), 1986)

## 3.62.060 Meetings.

The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of meetings shall be as determined by City Council resolution. The scheduling of special meetings in addition to those established by City Council resolution, except special meetings that take the place of cancelled regular meetings, shall be subject to approval by the City Council. A request for a special meeting shall include the reason for the proposed meeting and should be expedited on the City Council's agenda, or in the alternative, placed before the Agenda Committee for approval. (Ord. 6897-NS § 3, 2006: Ord. 5699-NS § 1 (part), 1986)

## 3.62.070 Organization, quorum and record keeping.

- A. The commission may make and alter all rules and regulations governing its organization and procedures not inconsistent with this chapter or with any other ordinance of the City.
- B. A majority of the members in office shall constitute a quorum for the transaction of business and shall be required to take any action. The commission shall keep an accurate record of its proceedings and transactions and shall submit an annual report to the City Council and to the City Manager. (Ord. 5699-NS § 1 (part), 1986)

#### 3.62.080 Functions.

A. Research: Preparation of an annual report about the conditions and demographics of labor in Berkeley.

- B. Labor bill of rights: Preparation and submission of a policy document for endorsement by the City Council. This document would summarize a person's right to have a job and their on-the-job rights. This commission would urge observance of the Labor Bill of Rights. (Note: this document would be similar to the United Nations Bill of Rights for Workers.)
- C. Education: Preparation of public information about the conditions and rights of labor in Berkeley; creation of a pro-labor image in the public opinion; recommendation of materials and representative speakers on labor to the school board and other government and community agencies and institutions; and encouragement of training, retraining, skill up-grading and apprenticeship programs through cooperation with unions and the labor commission.
- D. Labor reports: Preparation of reports of the impact on the work force and the community of new and current businesses as a means of informing the public, the City Council, and City boards and commissions, with special attention to urging such businesses to observe the Labor Bill of Rights.
- E. Labor disputes: Observing and reviewing picketing, strikes, and any role of the City of Berkeley in these disputes and reporting back to City Council; and encouraging support for officially sanctioned boycotts. Municipal employees' labor disputes and contract provisions are not within the purview of the Labor Commission.

#### F. Information service:

- 1. Develop information and referral services for Berkeley workers, residents, and employers with regard to appropriate state, federal, and private agencies and labor organizations.
- 2. Promotion of harmonious work environment: To provide a variety of information leading to a range of solutions to improved work place relationships including referrals to mediation; increased worker input; profit sharing; worker ownership (cooperatives); worker self management; and unionization.
- G. Equal rights: Promote affirmative action, comparable worth, a living wage, and the right to a job. This includes promoting policies which would improve job opportunities for minorities, women, students, gays and lesbians, and the disabled. Develop information and referral services on job listings, training and apprentice programs. (Ord. 5699-NS § 1 (part), 1986)

## 3.62.090 Membership--Criteria for guiding appointments.

- A. One member of the Commission on Labor shall be appointed by each City Councilmember, in accordance with Ordinance No. 4780-N.S.
- B. The following desirable criteria may guide, but not restrict, councilmembers in making appointments:
  - 1. Membership in labor organizations.
  - 2. Membership to reflect affirmative action guidelines. (Ord. 5699-NS § 1 (part), 1986)

## The Berkeley Municipal Code is current through Ordinance 7838-NS, passed November 3, 2022.

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

<u>City Website: www.berkeleyca.gov</u> <u>Code Publishing Company</u>

#### **Attachment 6**



NEW5

## California's controversial FAST Act might be on pause until 2024 election

The Sacramento Superior Court made the decision after a hearing on Friday afternoon in response to the Save Local Restaurants Coalition lawsuit to halt the law from going into effect

Joanna Fantozzi | Jan 14, 2023

California's controversial FAST Act legislation, also known as Assembly Bill 257 — which would create a fast-food industry regulatory council and could raise the minimum wage to \$22 an hour — is on pause for now, at least until the signatures of

the petition are verified, and likely until Nov. 2024, following a lawsuit by the Save Local Restaurants Coalition and subsequent injunction hearing in their favor.

The coalition, comprised of the National Restaurant Association, U.S. Chamber of Commerce and the International Franchise Association, filed a lawsuit on Dec. 30 to prevent the law from going into effect on Jan. 1, after the coalition received enough signatures (over one million) to send the legislation to a referendum vote in Nov. 2024. The solicitors were granted a temporary injunction until the hearing on Jan 13.

## Related: Lawsuit filed to stop California from implementing FAST Act

On Friday afternoon, a Sacramento Superior Court judge ruled that the legislation had to go through the referendum process before being put into effect. Judge Shelley Chang stipulated that county officials have until Jan. 25 to verify enough signatures on the ballot. If these signatures are verified, then the next step will be to put the proposed legislation to a vote.

"Today's court decision protects the rights of over one million California voters who demanded their say on this law before bearing its burden," the Save Local Restaurants Coalition said in a statement. "We appreciate the court upholding the state's 100-year-old referendum process as well as the well-established legal precedent that ensures California voters are able to consider the laws passed by their legislature."

## Related: How the FAST Act got squashed

The controversial legislation was initially passed in September and would allow the state government to appoint a fast-food council, with representatives from both employees and operators in the restaurant industry. The council would then be able to pass employee-facing rules for fast-food restaurants, including setting a minimum wage, with a ceiling of \$22 an hour. The restaurant industry has protested the

fairness and merits of the legislation and warns that it could set a precedent for other industries and laws in other states as well.

Now that the referendum vote has been approved, if the signatures are verified, the FAST Act will go on the ballot and be voted on by California residents on Election Day in 2024.

Contact Joanna at joanna.fantozzi@informa.com

Source URL:https://www.nrn.com/news/california-s-controversial-fast-act-might-be-pause-until-2024-election