



# Council Policy Prioritization: Priority Response Form

RULES: 01-30-19  
ITEM: G(2)

Department Public Works/Finance Date 1/29/2019  
Department Rep. Name Matt Cano Dept. Rep. Ext. Christopher Hickey, Public Works, (408)-535-8481  
Policy/Ord. Subject Update to the San Jose Wage Theft Prevention Ordinance Council Member(s) Sponsorship Perelez, Jones, Carrasco and Jimenez  
01/29/19 Rules - Item G(2)

## Staff Recommendation

- GREEN The Administration can implement this Nominated Idea under its current workplan.
- UNDERWAY (This item is already underway.)  REFER TO COUNCIL FOR ACTION OR ADDITION TO DEPT. WORKPLAN
- YELLOW The Administration recommends Council send this Nominated Idea to the Priority Setting Process.
- RED The Administration recommends Council not adopt this Nominated Idea
- NEEDS CLARIFICATION OR MORE TIME TO EVALUATE.

## Criteria (Priority Setting Checklist)

1. Is the recommendation related to work already in the existing department workplan?  
 YES  NO
2. Staff time required (including research and policy/ordinance development and implementation).  
 >40 hours  <40 hours
3. What is the magnitude of effort involved?  
 Small  Medium  Large
4. When will the department have capacity to address the recommendation?  
 Now-6 months  6-12 months out  Future fiscal year

## Analysis

Explain the rationale for Staff recommendation, including any mitigating factors that need to be considered (recent legislative action, significant workplan changes, etc). Please address the following as well:

GREEN LIGHT: The Administration can implement this Nominated Idea under its current workplan. Item should be sent to Council to add to Department workplan. Explain how the Idea will be approached.

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YELLOW LIGHT: The Administration recommends Council send this Nominated Idea to the Priority Setting Process due to [describe cost implications, workload impacts, or other factors].

The proposed policy change appears to be extremely significant as it would place the wage theft policy on a wide variety of private development projects.

Staff has not had the time to thoroughly evaluate the proposed new ordinance/policy and determine (1) Potential Impacts to development and PW projects

(2) Administrative effort required to implement and then maintain ordinance; (3) any potential legal issues

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RED LIGHT: The Administration recommends Council not adopt this Nominated Idea due to [describe reason implementation would be difficult if not impossible – conflict with other laws, etc].