



MCO and HCAO Declaration Forms

Beverly Popek
Supervising Compliance Officer



Office of Labor Standards Enforcement

What you should know...

- MCO = Minimum Compensation Ordinance
- HCAO = Health Care Accountability Ordinance



What you should know...

- Required for contracts \$25,000 or more
- Can execute even if the contract is under \$25,000 or even if you don't have a contract.



Where do I get these forms?

- MCO Webpage:

<https://sfgov.org/olse/minimum-compensation-ordinance-mco>

- HCAO Webpage:

<https://sfgov.org/olse/health-care-accountability-ordinance-hcao>

- Office of Contract Administration (OCA) Website – Under Optional Forms - <https://sfgov.org/oca>



Where do I submit my forms?

- Send to sfcitypartnersupport@sfgov.org



Office of Labor Standards Enforcement

How often must I do this?

- **At least once.**
- Contracting departments can ask you to execute these forms as often as they like.



Is this really required?

- Yes
- A department can't request a waiver or exemption for the Declaration requirement



MCO Declaration Form

- OLSE can explain the MCO and options for compliance
- Contact SF City Partner Support if you have questions about how to fill out the form
- Send form to sfcitypartnersupport@sfgov.org

CITY AND COUNTY OF SAN FRANCISCO

GENERAL SERVICES AGENCY

OFFICE OF LABOR STANDARDS ENFORCEMENT

PATRICK MULLIGAN, DIRECTOR



Minimum Compensation Ordinance (MCO) Declaration

What the Ordinance does. The Minimum Compensation Ordinance (MCO) became effective October 8, 2000, and was later amended by the Board of Supervisors, with an effective date for the amendments of October 14, 2007. The MCO requires City contractors and subcontractors to pay Covered Employees a minimum hourly wage and to provide 12 compensated and 10 uncompensated days off per year. The minimum wage rate may change from year to year and Contractor is obligated to keep informed of the then-current requirements.

The MCO applies only if you have at least \$25,000 in cumulative annual business with a City department or departments and have more than 5 employees, including employees of any parent, subsidiaries and subcontractors.

The City may require contractors to submit reports on the number of employees affected by the MCO.

Effect on City contracting. For contracts and amendments signed on or after October 8, 2000 the MCO will have the following effect:

- In each contract, the contractor will agree to abide by the MCO and to provide its employees the minimum benefits the MCO requires, and to require its subcontractors subject to MCO to do the same.
- If a contractor does not agree to provide the MCO's minimum benefits, the City will award a contract to that contractor **only if** the contractor has received an approved exemption or waiver under MCO from the Office of Labor Standards Enforcement (OLSE) through the contracting Department. The contract will not contain the agreement to abide by the MCO if there is an exemption or waiver on file.

What this form does. If you can assure the City now that, beginning with the first City contract or amendment you receive after October 8, 2000 and until further notice, you will provide the minimum benefit levels specified in the MCO to your covered employees, and will ensure that your subcontractors also subject to the MCO do the same, this will help the City's contracting process.

If you cannot make this assurance now, please do not return this form.

For more information, (1) see our Website, including the complete text of the ordinance: www.sfgov.org/olse, (2) e-mail us at: MCO@sfgov.org, (3) Phone us at (415) 554-7903.

Where to Send this Form. Submit this form via San Francisco's centralized vendor portal sfcitypartnersupport@sfgov.org or call the Supplier Support Desk at 415-944-2442, Ext 1

Declaration

In order to be a certified vendor with the City and County of San Francisco, this company will provide, if applicable, the minimum benefit levels specified in the MCO to our Covered Employees, and will ensure that our subcontractors also subject to the MCO do the same, until further notice. This company will give such notice as soon as possible.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Signature

Date

Print Name

Bidder/Supplier # - if known

Company Name

()

Phone

Federal Employer ID #

SF OFFICE OF LABOR STANDARDS ENFORCEMENT, CITY HALL ROOM 430
1 DR. CARLTON B. GOODLETT PLACE • SAN FRANCISCO, CA 94102

MCO/HCAO TEL (415) 554-7903 • FAX (415) 554-6291
WWW.SFGOV.ORG/OLSE



HCAO Declaration Form

- OLSE can explain the HCAO and options for compliance
- Contact SF City Partner Support if you have questions about how to fill out the form
- Send form to sfcitypartnersupport@sfgov.org

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Health Care Accountability Ordinance (HCAO) Declaration

What the Ordinance Requires. The Health Care Accountability Ordinance (HCAO), which became effective July 1, 2001, requires Contractors that provide services to the City or enter into certain leases with the City, and certain Subcontractors, Subtenants and parties providing services to Tenants and Subtenants on City property, to provide health plan benefits to Covered Employees, or make payments to the City for use by the Department of Public Health (DPH), or, under limited circumstances, make payments directly to Employees.

The HCAO applies only to Contractors with at least \$25,000 (\$50,000 for non-profit organizations) in cumulative annual business with a City department(s) and have more than 20 Employees (50 Employees for non-profit organizations) including Employees of any parent or subsidiaries.

The City may require Contractors to submit reports on the number of Employees affected by the HCAO.

Effect on City Contracting. For contracts and amendments signed on or after July 1, 2001, the HCAO requires the following:

- Each contract must include terms ensuring that the Contractor will agree to abide by the HCAO and either to provide its employees with health plan benefits meeting the Minimum Standards set forth by the Director of Health or to make the payments required by the HCAO;
- All City Contractors must agree to comply with the requirements of the HCAO unless the Contracting Department has obtained an approved exemption or waiver under the HCAO from the Office of Labor Standards (OLSE);
- Contractors must require any Subcontractors subject to the HCAO to comply with the HCAO;

The Purpose of This Declaration. By submitting this declaration, you are providing assurances to the City that, beginning with the first City contract or amendment you receive after July 1, 2001 and until further notice, you will either provide the health plan benefits meeting the Minimum Standards to your covered employees or make the payments required by the HCAO, and will ensure that your Subcontractors also abide by these requirements. **If you cannot provide this assurance, do not return this form.**

To obtain more information regarding the HCAO, Visit our website, which includes links to the complete text of the HCAO, at www.sfgov.org/olse/hcao; send an e-mail to HCAO@sfgov.org; or call (415) 554-7903.

Where to Send this Form. Submit this form via San Francisco's centralized vendor portal sfcitypartnersupport@sfgov.org or call the Supplier Support Desk at 415-944-2442, Ext 1

Declaration

In order to be a certified vendor with the City and County of San Francisco, the company named below will either provide, if applicable, health benefits specified in the HCAO to our covered employees or make the payments required by the HCAO, and will ensure that our subcontractors that are subject to the HCAO also comply with these requirements, until further notice. The company named below will provide such notice as soon as possible.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Signature _____

Date _____

Print Name _____

Bidder/Supplier # - if known _____

Company Name _____

()

Phone _____

Federal Employer ID # _____
MCO/HCAO TEL (415) 554-7903 • Fax (415) 554-6291
1 DR. CARLTON B. GOODLETT PLACE • SAN FRANCISCO, CA 94102
WWW.SFGOV.ORG/OLSE



Frequently Asked Question 1

I don't have any employees. Do I have to fill out these forms?



Office of Labor Standards Enforcement

Questions and Answers 2

I have less than 20 employees, so I wouldn't have to comply with the Health Care Accountability Ordinance (HCAO). Do I still have to fill out the HCAO Declaration Form?



Questions and Answers 3

My company is not headquartered in San Francisco nor the state of California. Do I have to fill out this form?



Questions and Answers 4

Can I request a waiver or exemption so I don't have to complete the declaration forms?



Office of Labor Standards Enforcement

Contact OLSE

Office of Labor Standard Enforcement – MCO HCAO Hotline

San Francisco City Hall

1 Dr. Carlton B. Goodlett Place, Room 430

San Francisco, CA 94102

Phone: (415) 554-7903

Fax: (415) 554-6291

Email: mco@sfgov.org, hcao@sfgov.org

Website: www.sfgov.org/olse

MCO

<http://sfgov.org/olse/minimum-compensation-ordinance-mco>

HCAO

<http://sfgov.org/olse/health-care-accountability-ordinance-hcao>



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