[Labor and Employment Code - Prevailing Wages for Street Cleaning Services]

Ordinance amending the Labor and Employment Code to require prevailing wages in City contracts and grants for street cleaning services.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Division II of the Labor and Employment Code is hereby amended by revising Section 101.1 in Article 101 and adding Section 102.12 in Article 102, to read as follows:

SEC. 101.1. GENERAL DEFINITIONS.

For the purposes of Articles 101 through 109, the following definitions apply.

* * * *

Covered Contract. Covered Contract shall mean an agreement, including, without limitation, any contract, franchise, lease, or permit, between the City and a Contractor for the following services: "Janitorial Services" as defined in Section 102.2; "Public Off-Street Parking Lots, Garages, or Storage Facilities for Automobiles" as defined in Section 102.3; "Theatrical Services" as defined in Section 102.4; "Hauling of Solid Waste Generated By The City In Course of City Operations" as defined in Section 102.5; "Moving Services" as defined in Section 102.6; "Motor Bus Services" as defined in Section 102.7, subject to the provisions of

Section 102.7; "Trade Show and Special Event Work" as defined in Section 102.8; "Broadcast Services" as defined in Section 102.9; "Loading, Unloading, and Driving of Commercial Vehicles" as defined in Section 102.10; ~~or~~ "Security Guard Services" as defined in Section 102.11; *or "Street Cleaning Services" as defined in Section 102.12*.

* * * *

SEC. 102.12. STREET CLEANING SERVICES

(a) ***Definitions****. For purposes of this Section 102.12, the following definitions shall apply:*

"Bulk Waste Removal" means the removal of discarded bulk waste and debris, including by means of mechanical or manual street sweeping. Bulk Waste Removal does not include occasional small litter pick-up.

"Contract" means an agreement to be performed at the expense of the City or to be paid out of moneys deposited in the City treasury or out of trust moneys under the control of or collected by the City. ~~A Contract does not include an agreement with an owners association organized pursuant to California Streets and Highways Code Section 36651 where the agreement is paid out of moneys collected through parcel assessments.~~

"Grant" means "Grant" as defined in Administrative Code Section 21G.2, as amended from time to time.

~~"Litter Abatement" means the removal of discarded bulk waste and debris, including by means of mechanical or manual street sweeping.~~

"Power Washing" means using a high-pressure stream of water in cold and hot temperatures.

"Public right-of-way" means "public right-of-way" as defined in Public Works Code Section 2.4.4, as amended from time to time.

"Steam Cleaning" means cleaning where the steam is the primary source of cleaning, including but not limited to steam pressure washing and wet sandblasting.

"Street Cleaning Services" means services that maintain the cleanliness of the public right-of-way, including but not limited to Bulk Waste Removal, *Power Washing, and Steam Cleaning, in the public right of way.*

(b) ***Prevailing Wage Requirement****. Every Contract or Grant awarded or issued by the City for* the primary purpose *of providing Street Cleaning Services must require that any Individual performing Street Cleaning Services be paid not less than the Prevailing Rate of Wages as determined in accordance with Section 103.2.*

(c) **Exemptions**.

(1) **Contracts or Grants Under the Delegated Purchasing Amount or with Durations of One Year or Less**. This Section 102.12 shall not apply to a Contract or Grant with a contract amount under the Delegated Purchasing Amount as defined in Administrative Code Section 21.02, or with a duration of one year or less. If any previously exempted Contract or Grant is amended such that the contract amount exceeds the Delegated Purchasing Amount or the duration exceeds one year, the prevailing wage requirement in this Section 102.12 shall apply to the Contract or Grant amendment.

(2) **Contracts or Grants with Community Benefit Districts**. This Section 102.12 shall not apply to a Contract or Grant with an owners' association as defined in California Streets and Highways Code Section 36612 where the agreement is paid out of moneys collected through parcel assessments.

(3) **Workforce Development Contracts or Grants**.

(A) This Section 102.12 shall not apply to a Contract or Grant with a non-profit organization where Street Cleaning Services are provided through a workforce development program so long as the workforce development program meets the following criteria:

(i) the duration of the agreement with the City is for a minimum of three years;

(ii) the workforce development program has a placement rate of at least 51%, assessed at the end of the first three-year contract; and

(iii) individuals may participate in the workforce development program for no more than three years.

(B) The workforce development program exemption in this subsection (c)(3) shall become effective on the effective date of the ordinance in Board File No. 260084, but the non-profit workforce development program does not need to comply with the criteria in subsections (c)(3)(A)(i) through (iii) until July 1, 2029.

(4) **Community Challenge Grants**. This Section 102.12 shall not apply to Grants funded through the City Administrator's Community Challenge Grant Program.

(5) **Incidental Street Cleaning Services**. This Section 102.12 shall not apply to Contracts or Grants where the Street Cleaning Services are incidental to the services provided under the agreement, so long as the services do not involve Bulk Waste Removal, Steam Cleaning, or Power Washing.

(dc) ***Certified Payroll Records***. *Each Contractor and Subcontractor subject to this Section 102.12 shall comply with the Maintenance and Submission of Certified Payroll Records requirement of Section 103.3(e)(2).*

(ed) ***Preemption***. *Nothing in this Section 102.12 shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.*

(fe) ***Prospective Effect***. *This Section 102.12 is intended to have prospective effect only, and shall not be interpreted to impair the obligations of any pre-existing Contract or Grant entered into by the City. This Section shall only apply to Contracts or Grants entered into on or after the effective date of this Section.*

(g) Collective Bargaining Agreements. Nothing in this Section 102.12 shall be interpreted or applied to modify, change, supersede, or take precedence over the terms of any applicable Memorandum of Understanding between the City and any employee organization recognized under Article XI-A of the Administrative Code (the Employee Relations Ordinance), including but not limited to the Laborers' International Union, Local 261 MOU (July 1, 2022-June 30, 2027) and any successor agreement.

Section 2. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 3. Effective Date. This ordinance shall become effective at on the 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
YADIRA TAYLOR
Deputy City Attorney

4904-9199-9440, v. 1

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 260084 **Date Passed:** September 29, 2026

Ordinance amending the Labor and Employment Code to require prevailing wages in City contracts and grants for street cleaning services.

September 16, 2026 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

September 16, 2026 Budget and Finance Committee - RECOMMENDED AS AMENDED

September 22, 2026 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Chan, Chen, Dorsey, Fielder, Mahmood, Mandelman, Melgar, Sauter, Sherrill, Walton and Wong

September 29, 2026 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Chen, Dorsey, Fielder, Mahmood, Mandelman, Melgar, Sauter, Sherrill, Walton and Wong

File No. 260084

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/29/2026 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Daniel Lurie
Mayor

10/2/2026
Date Approved