

Chapter 3.62

COMMISSION ON LABOR

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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 [2.04.030](#) through [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, re-training, 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.

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