

THE FIGHT FOR BACKWAGES AT WOODFIN HOTEL

Key dates in the four-year conflict · Focus: City enforcement process

2005

Nov. 8, 2005: Emeryville voters pass Measure C. Measure C is a hospitality-industry living wage ordinance which guarantees workers a living wage, reasonable workload limits and job security when hotels change management.

Dec. 5, 2005: Measure C goes into effect.

2006

September 5, 2006: Workers speak out. Workers from the Woodfin Suites hotel speak at a meeting of the Emeryville City Council, saying that they are still not being paid in accordance with Measure C and that they have not received the required notice of their rights under the ordinance.

2007

June 12, 2007: City completes investigation; issues back-wage order. The City of Emeryville completes its investigation of Woodfin workers' complaints of violations under Measure C. The city administration issues the Woodfin a conditional operating permit, ordering the hotel to pay back wages to over 50 housekeepers. The Woodfin later appeals this order to the full city council.

Aug. 27, 2007: City council votes unanimously to order the Woodfin to pay backwages.

Sept. 17, 2007: Case goes to court. The City of Emeryville files a complaint against the Woodfin in Alameda County Superior Court to enforce the City's order. Woodfin also sues.

2008

April 15, 2008: Court ruling upholds law, says hearing must be re-done. Alameda County Superior judge Bonnie Sabraw upholds the living wage law's constitutionality – marking the Woodfin's third and final defeat in its efforts to squash the law. The judge also has some procedural concerns with Emeryville's first hearing, and orders the City to re-do the process.

August 26, 2008: City issues revised back-wage order. The City of Emeryville recalculates backwages per the judge's order, re-issues an operating permit to the Woodfin conditional on payment of back wages. On **September 10, 2008**, Woodfin appeals the city's August 26 order. On **Nov. 10, 2008**, Judge Steven A. Brick of the Alameda Superior Court denies the Woodfin Hotel's request for an injunction against the Emeryville City Council.

Nov. 17, 2008: The city begins hearing the Woodfin's appeal. The hearing continues on Dec. 1, Dec. 15, Jan 5, and Jan. 15.

2009

March 3, 2009: Written Finding of Fact upholds back wage order. Emeryville city council votes unanimously to formally adopt written findings of fact in the case. Pursuant to the finding, Emeryville City staff once again orders Woodfin to pay some \$200,000 in back wages; the hotel refuses, taking the case to court.

December 14, 2009: Judge orders Woodfin to pay \$200,000 in back wages.

Superior Court Judge Steven A. Brick unequivocally upholds the City of Emeryville's order and soundly rejects all of the Woodfin's legal arguments, a crushing legal defeat for the hotel.