

OFFICIAL NOTICE  
正式通知  
CITY OF EMERYVILLE  
EMERYVILLE 市政府  
FAIR WORK WEEK ORDINANCE  
公平工作周法规

Emeryville Municipal Code, Chapter 39 of Title 5  
《Emeryville 市法规》，第五标题 第三十九章

Effective: July 1, 2017  
2017 年 7 月 1 日起开始生效

COVERED EMPLOYERS:  
适用的雇主

**Retail Firms with 56 or more employees globally.**  
全球雇员超过 56 名的零售业雇主

**Fast Food Firms with 56 or more globally and 20 or more employees in Emeryville.**  
全球雇员超过 56 名，并在 Emeryville 市有 20 名以上员工的速食业雇主

Beginning July 1, 2017, employers, within the geographic boundaries of the City of Emeryville, must abide by the following conditions in regard to employee work schedules, compensation for employer-initiated schedule changes, access to hours of work for part-time employees, rest between shifts, and a protected right to have input into schedules. They are:

从 2017 年 7 月 1 日开始，所有在 Emeryville 市管辖区内的雇主，必须遵守以下关于雇员工作的规定，包括员工工作时间、由雇主提出的工作时间变更的津贴、兼职员工对工时的知晓，工作时段之间的休息，以及对于工作时间能提出意见的受保护权利。这些规定是：

Requirements  
规定

**Advance Notice of Work Schedule**  
提早发布工作时间

- Before a new employee starts their employment, the employer provides good faith estimate of work schedule in writing.
- 新进员工开始工作前，雇主必须以书面形式，提供一份可信的工作时间预估
- Employer must provide work schedules at least two weeks in advance by posting in conspicuous place or transmitting by electronic means
- 雇主必须提前至少两周在明显的地方，或者以电子通讯方式公布工作时间
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## **Notice, Right to Decline, and Compensation for Schedule Changes**

关于工作时间变更的通知、拒绝的权利和津贴

- Employer must provide notice of any changes to schedules which are employer initiated.
- 由雇主提出的工作时间变更，雇主必须通知员工
- Employee has right to decline any previously unscheduled hours if given less than 14 days' notice.
- 员工有权利拒绝任何未在十四天前提出的新工作时间
- Employers must give Predictability Pay for changes made to the schedule:
- 对于工作时间的变更，雇主必须给予以下的可预期工资：
  - Notice given less than 14 days but 24 hours or more = 1 hour pay
  - 未在十四天前提出，但在二十四小时或更久前通知者：一小时的工资
  - Notice less than 24 hours = 4 hours pay or number of hours in the scheduled shift, whichever is less
  - 在二十四小时内提出通知者：支付员工以下两者中金额比较少的：四个小时的工资或员工当天工作时间的工资
  - All other changes in less than 24 hours = 1 hour of pay
  - 其他任何少于二十四小时的变更：一小时的工资

## **Offer of Work to Existing Employees**

提供工作给现有员工

- Employer shall first offer additional hours to existing qualified Part-time employees until they reach 35 hours of work in a Calendar Week in at least 4 hour increments.
- 雇主应该先提供额外的工时给现有合格的兼职员工，每个工作时段至少四个小时，一直到员工一个日历周的工时达到 35 个小时

## **Right to Rest/ “Clopening”**

休息 / 开店关店的权利

- Employers must pay time-and-a-half for any hours worked between closing and opening (“clopening”) shifts that are separated by less than 11 hours.
- 如果员工在关店与开店之间的时段工作，而且这个时段离前一个班不到十一个小时的话，雇主必须付一倍半的工资
- Employee has right to decline work hours if less than 11 hours after end of previous day's shift.
- 如果工作时间离前一天的班不到十一个小时，员工有权利拒绝

## **Right to Request a Flexible Working Arrangement**

要求安排弹性工作时间的权利

- Employee has a right to request additional shifts or hours, changes in start or end times, shift swaps, part time employment, etc.
- 员工有权利要求增加工作的班次或时间，工作开始和结束时间的变更，工作时段的交换，兼职的工作等。

Exceptions (No Predictability Pay Due)  
例外 (不需支付可预期工资)

- Grace Period for additions or subtractions of 10 minutes or less before and after shift starts and ends.
- 在开始与结束工作前后十分钟内的宽限期
- Employee initiated employee to employee Shift Swaps
- 员工主动要求与其他员工交换工作班别
- Employee works past scheduled shift end in order to complete a transaction
- 员工为了完成手上的交易而超时工作
- Notice, Right to Decline and Compensation for Schedule Changes exceptions are made for civil threats, utility failures, acts of nature or other causes out of Employer's control
- 工作时间变更的通知、拒绝的权利和津贴是由公众威胁, 公安事故, 天然灾害, 或其他雇主无法控制的原因所引起

This law applies to employees regardless of immigration status. Employers must comply with this law. Employers are not allowed to engage in practice or pattern of under scheduling. Retaliation is illegal. 本法规适用于每个雇员, 无论他们的移民身份为何。雇主必须遵守这条法律。雇主不得逐渐减低员工的工时。报复是不合法的。

If you have any questions, need additional information, or your employer is in breach of compliance, please contact the City of Emeryville at:

如果您有任何问题, 需要更多的资讯, 或者您的雇主不遵守此项规定, 请与 Emeryville 市政府联络:

City of Emeryville  
Emeryville 市政府  
1333 Park Avenue  
Emeryville, CA  
Telephone 电话: (510) 596-4351  
Email 电邮: [fairworkweek@emeryville.org](mailto:fairworkweek@emeryville.org)

“By signing this official notice, I have read and been properly informed of the City of Emeryville Fair Workweek Ordinance.”

在这份正式通知上签名, 代表我已经阅读并且完全明白 Emeryville 市政府的公平工作周法规

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Employee Signature  
员工签名

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Employee Printed Name  
员工姓名

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Date  
日期

