



City of Emeryville Labor Laws

Administered by the City of Emeryville and specified by Emeryville Municipal Code (EMC) 5-37

SERVICE CHARGE LAW

EMC 5-37.04 - Adopted July 2015, Amended October 2017

All service charges collected from customers
MUST BE PAID
in their entirety to the Hospitality Worker who
ACTUALLY PERFORMS THE SERVICE.

Service charges can be described on receipts under terms, including but not limited to: "service charge," "delivery charge," or "portage charge."

Examples may include: delivering food or beverage to hotel room or carrying luggage to rooms for hotel guests.

*Certain exceptions may apply. Does not include charges for which the Hospitality Employer clearly discloses to the customer that charge is being used to pay for costs or expenses other than wages and gratuity of hospitality employees.

Who is a Hospitality Employer?

Any business who owns, controls, or operates any part of a hotel, restaurant, or banquet facility within the geographic boundaries of the City of Emeryville.

Who is a Hospitality Employee?

Any individual who works at least two (2) hours within a calendar week for a Hospitality Employer and performs activities that are billed as service charges.

! EMPLOYEES CAN FILE A COMPLAINT WITH THE CITY IF THEY: !

Do Not Receive Written Notice of Distribution of Service Charges from their Hospitality Employer.

Do Not Receive Service Charges if they are a Hospitality Worker.

Experience Retaliation.

For More Information:

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