

Responsible Construction Ordinance

Sunnyvale Workers – Know Your Rights

To prevent wage theft on construction sites, starting July 1, 2022, contractors and subcontractors must provide employees written notice on the employers' pay practices as required by California Labor Code Section 2810.5 and wage statements under Labor Code Section 226(a).

What is wage theft?

Wage theft is the non-payment or underpayment of earned wages, or not allowing workers to take meal and rest breaks.

Who can file a wage theft and recovery complaint?

All employees who work for a covered employer within the City of Sunnyvale can file a complaint.

What is “Unpaid wage theft judgment - complaint” as per the Sunnyvale ordinance?

Any person entitled to payment of an unpaid wage theft judgment against the contractor or a subcontractor on a project where the work exceeds one hundred thousand dollars or one percent of the value of the construction cost of the project, whichever is greater.

How do I file an “Unpaid wage theft judgment – complaint” with the City of Sunnyvale?

The complaint must be received by the building official before a certificate of occupancy is issued. After receiving a complaint, the building official shall not issue the certificate of occupancy unless the building official finds that the complaint is not sustained. The complaint must be submitted to the City of Sunnyvale, Attn: Building Official, 456 W. Olive Ave, Sunnyvale, CA 94086 and must include:

- (1) a copy of the Labor Commissioner's order, decision or award, and
- (2) a copy of the judgment entered by the Superior Court, and
- (3) a declaration signed under penalty of perjury that the specified contractor or subcontractor is the subject of an unpaid wage theft judgment that is owed to the complaining party.

Can I file an anonymous complaint?

No. You must include your contact information.

Will my employer know that I complained?

Yes. The employer will be contacted to resolve any complaint.

Contact the Building Division for more information:

Suzanne Park, Chief Building Official
408-730-7444
spark@sunnyvale.ca.gov