

**OFFICIAL NOTICE**  
**CITY OF EMERYVILLE**  
**SERVICE CHARGE LAW**

Effective Date: July 2, 2015

Pursuant to Emeryville Municipal Code section 5-37.04, Hospitality Employers who collect service charges from customers must pay the entirety of those charges to the Hospitality Workers who performed the services for which the charge was collected.

- A Hospitality Employer is a business who owns, controls, or operates any part of a hotel, restaurant, or banquet facility within the geographic boundaries of the City of Emeryville.
- A Hospitality Worker is an individual who works at least two hours within a calendar week for the Hospitality Employer and who performs a service for which a Hospitality Employer imposes a service charge. Hospitality Worker does not include a managerial employee, unless the managerial employee actually performs any service for which a service charge is collected from a customer.
- A service charge includes all separate designated amounts collected by a Hospitality Employer from customers that are for service provided by Hospitality Workers or are described in such a way that customers might reasonably believe that the amounts are for those services, included but not limited to those charges designated on receipts under the term “service charge,” “delivery charge,” or “portage charge.” These services may include but are not limited to activities such as, delivering food or beverage to a hotel room, catering duties at banquets, or carrying luggage to rooms for hotel guests.

Additionally, all Hospitality Employers must show Hospitality Workers in writing its plan to distribute service charges, including the amount of service charges collected from service activities performed by an employee and amounts distributed to employees for any given pay period.

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If you have any questions, need additional information, or believe you are not being paid correctly please contact the City of Emeryville at:

**City of Emeryville**  
**1333 Park Avenue**  
**Emeryville, CA 94608**  
**Telephone: (510) 596-4316**  
**E-Mail: [minwage@emeryville.org](mailto:minwage@emeryville.org)**