

## **Hero Pay Ordinance Coverage**

You must provide worker premium pay under the City of Irvine’s “Hero Pay” Ordinance if (1) you have the type of business covered by the Ordinance, **and** (2) you have the minimum number of employees, locally and nationally, specified in the Ordinance. Each of those tests is described below:

1. **Types of Businesses Covered**: Your business is potentially subject to the Ordinance if it falls within **any one** of the following four categories:

- A. Your store in Irvine is 15,000 square feet or larger **and** you devote seventy percent or more of your sales floor area to retailing a general range of food products, which may be fresh or packaged.
- B. Your store in Irvine is 15,000 square feet of larger **and** you receive seventy percent or more revenue from retailing a general range of food products.
- C. Your store in Irvine has more than 85,000 square feet **and** devotes ten percent or more of its sales floor area to the sale of merchandise that is non-taxable pursuant to Section 6359 of the Revenue and Taxation Code.
  - a. This includes facilities with multiple tenants, so long as consumer goods and nontaxable items are sold under the same roof with shared checkout stands, entrances, and exits.
- D. Your store in Irvine is a retail pharmacy that sells a variety of prescription and nonprescription medicines, as well as any combination of miscellaneous items, including but not limited to sundries, dry foods, packaged foods, beverages, fresh produce, meats, deli products, dairy products, canned foods, or prepared foods.

2. **Number of Required Employees**: If your business falls within one of the four categories described in Section 1, then it must provide the premium pay under the Ordinance to each covered employee ***if*** it meets both of the following tests:

- A. You employ at least 20 employees at your store in Irvine; **and**
- B. Your owner, parent company, franchisor, or network of franchisees employ 500 or more employees nationally.
  - a. This includes facilities with multiple tenants, so long as consumer goods and nontaxable items are sold under the same roof with shared checkout stands, entrances, and exits.