



Employer Compliance Procedures Commuter Benefits Ordinance 22-09 N.S.

The Commuter Benefits Ordinance 22-09 N.S., Chapter 9.62 of the City of Richmond Municipal Code, calls for the protection of the public health, safety and the environment. Air pollution is one of the major public health threats in Richmond and contributes to asthma and other respiratory diseases. The City of Richmond Commuter Benefit Program will help the City achieve its goal to reduce CO2 emissions within the City of Richmond to 2000 levels by 2010, 1990 levels by 2020 and 80% below 1990 levels by 2050.

The Commuter Benefits Ordinance encourages commuters, through the worksite, to use public transit, vanpools, carpools, biking, telecommuting and alternative work schedules. The use of alternative methods of commuting to the workplace reduces air pollution and traffic congestion.

The Commuter Benefits Ordinance requires all registered businesses in Richmond that have ten (10) or more employees who work an average of at least ten (10) hours per week to offer one of the following options:

- (1) A Pre-Tax Election: A program, consistent with Internal Revenue Code section 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting cost incurred for transit passes, vanpool charges or bicycle commuting, up to the maximum level allowed by federal tax law, currently \$230 per month for transit and vanpool and \$20 per month for bicycles.
- (2) Employer Paid Benefit: A program whereby the employer supplies a transit pass or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the adult monthly transit pass for the local transit agency system(s) requested by each employee to complete the trip to the workplace.
- (3) Employer Provided Transit: Transportation furnished by the employer at no cost to the employee in a vanpool, bus or similar multi-passenger vehicle operated by or for the employer.

Under the Ordinance, the City of Richmond, City Manager's Office, and 511 Contra Costa are responsible for the establishment of the regulations, guidance and forms to implement the Ordinance. 511 Contra Costa is responsible for registration, database management and compliance reporting to the City of Richmond, City Manager's Office.

Compliance Instructions:

For employer's with 10-49 employees, an Ordinance Registration Form can be found at www.ci.richmond.ca.us/cbo and emailed to lori_reese-brown@ci.richmond.ca.us by November 1, 2014.

The City of Richmond will issue Certificates of Compliance upon approval of the worksite Commuter Benefits plan and program. The Certificate of Compliance should be posted at the worksite in an area visible to employees with an outline of the Commuter Benefits Program available for review by all employees. The Employer must make the program known to employees and offer guidance for planning a commute to the worksite utilizing commute alternatives such as public transit, carpool, vanpool, bike and walking to the worksite.

Employers with 10 or more employees are required to complete and submit annual compliance reporting forms by April 30th.

Who is required to fill out the Ordinance Registration Form?

All City of Richmond businesses with 10-49 employees are required to submit a one-time Ordinance Registration Form by November 21, 2014, whether or not they need to comply with the Ordinance. Businesses with 50 or more employees should have already registered through 511 Contra Costa. Businesses not covered by the Ordinance may request an exemption until such time as the worksite situation changes (i.e. add additional employees to the workforce to reach the required level of ten (10) or more). Businesses which receive an exemption will be required to provide information to employees about the commute alternative services available through the 511 Contra Costa program.

What defines a City of Richmond business?

Pursuant to the City of Richmond Business and Tax Regulations Code, any individual or entity engaging in business in Richmond must obtain a business registration certificate from the Office of the Treasurer and Tax Collector.

Can a business submit one form for multiple locations?

The Commuter Benefits Ordinance Registration Form contains space for businesses to list additional worksites (i.e. corporate office, R & D facility, equipment yard, etc.). All businesses located within the City of Richmond must offer consistent benefits to each worksite. Worksites outside of the City of Richmond which are located within Contra Costa County are eligible to receive support and commute alternative services from 511 Contra Costa.

Preparing a Commuter Benefits Ordinance Plan

The Commuter Benefits Ordinance Registration Form requires information about the worksite plan, including who will administer the pre-tax program, employer paid benefit or employer provided transit option. 511 Contra Costa in coordination with the City of Richmond can assist employers with worksite review and program planning services.