

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

May 20, 2021

Mr. Phillip Behn
Chief Executive Officer
Imperfect Foods
1616 Donner Avenue
San Francisco, CA 94124

Re: Board of Supervisors Resolution No. 193-21

Dear Mr. Behn:


On April 27, 2021, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 193-21 (Supporting Imperfect Foods Workers to Unionize), which was enacted on May 7, 2021.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 193-21 (File No. 210432)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

jw:ll:ams

- c. Members of the Board of Supervisors, Supervisors Shamann Walton, Connie Chan, Aaron Peskin, Rafael Mandelman, Gordon Mar, Matt Haney, Dean Preston, Ahsha Safai
Neil Neufeld, Imperfect Foods Chief Operating Officer
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Rebecca Peacock, Mayor's Office

1 [Supporting Imperfect Foods Workers to Unionize]

2

3 **Resolution supporting the rights of workers at Imperfect Foods to unionize and**
4 **negotiate a fair contract.**

5

6 WHEREAS, Imperfect Foods, headquartered at 1616 Donner Avenue in District 10,
7 employs worker to deliver groceries to residents throughout the West Coast, Midwest,
8 Northeast, and West South Central region of the United States with the goal of eliminating
9 food waste; and

10 WHEREAS, In Northern California, Imperfect Foods has locations based in San
11 Francisco, Concord, Sacramento, and Merced; and

12 WHEREAS, Imperfect Foods announced a \$95 million fundraising round in January
13 2021, bringing its valuation to more than \$700 million; and

14 WHEREAS, Imperfect Foods reported a revenue of more than \$500 million at the end
15 of 2020; and

16 WHEREAS, Workers at Imperfect Foods have felt their concerns about workload and
17 pay have often been ignored; and

18 WHEREAS, The workers at Imperfect Foods in pursuit of affordable health care, wage
19 growth, and mitigating increasing workloads for drivers have led to their organizing efforts to
20 unionize; and

21 WHEREAS, Nearly 70% of the workers at Imperfect Foods voted in favor of joining
22 United Food and Commercial Workers Union Local 5 on April 14, 2021; and

23 WHEREAS, Imperfect Foods engaged in union busting efforts by requiring workers to
24 attend “mandatory anti-union meetings” and hiring outside consultants to discourage the union
25 drive throughout the unionizing process; and

1 WHEREAS, The workers and drivers voted to unionize despite efforts by the Imperfect
2 Foods to discourage them from doing so; and

3 WHEREAS, During the COVID-19 pandemic, mail-in ballots have been the standard for
4 all National Labor Relations Board (NLRB) elections for workers who want to unionize; and

5 WHEREAS, Only two ballots were contested at the time of the vote count, fewer than a
6 number that would put the results in question; and

7 WHEREAS, The elections results have to be certified by the NLRB and any issues with
8 contested ballots have been sorted out; and

9 WHEREAS, Imperfect Foods initially accepted the results of the vote and only
10 contested after the results were ratified; and

11 WHEREAS, The actions of the workers to unionize are protected by federal law; now,
12 therefore, be it

13 RESOLVED, That the San Francisco Board of Supervisors support a fair process for
14 workers to unionize at Imperfect Foods; and, be it

15 FURTHER RESOLVED, That the San Francisco Board of Supervisors calls on the
16 management at Imperfect Foods to respect the workers choice to unionize and to negotiate a
17 fair contract; and, be it

18 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs
19 the Clerk of the Board to transmit a copy of this Resolution to the Chief Executive Officer and
20 Chief Operating Officer of Imperfect Foods.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
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Tails
Resolution

File Number: 210432

Date Passed: April 27, 2021

Resolution supporting the rights of workers at Imperfect Foods to unionize and negotiate a fair contract.

April 27, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210432

I hereby certify that the foregoing Resolution was ADOPTED on 4/27/2021 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

5/7/2021

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

05/07/2021

Date

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May 20, 2021

Mr. Neil Neufeld
Chief Operating Officer
Imperfect Foods
1616 Donner Avenue
San Francisco, CA 94124

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Clerk of the Board

Unsigned

London N. Breed
Mayor

5/7/2021

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Angela Calvillo
Clerk of the Board

05/07/2021

Date