

1 [Urging Federal, State, and Local Action to Expand Access to Paid Leave Support During
2 Public Health Emergencies]

3 **Resolution urging additional federally mandated paid leave during public health**
4 **emergencies; supporting United States House Resolution No. 6201, authored by United**
5 **States Congresswoman Nita Lowey, the Families First Coronavirus Response Act, if**
6 **amended to include requirements for large employers; urging further State action to**
7 **address gaps in Federal support; supporting California State Assembly Bill No. 3123,**
8 **authored by California Assembly Member Lorena Gonzalez, to protect workers from**
9 **retaliation when leave is taken during a public health emergency; urging the creation of**
10 **a multilingual workers rights hotline; and committing to provide additional local**
11 **support for workers impacted by Order No. C19-07.**

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13 WHEREAS, On March 13, 2020, the United States House of Representatives passed
14 the Families First Coronavirus Response Act (H.R. 6201), in response to the growing
15 coronavirus emergency in the United States; and

16 WHEREAS, This bill would require an additional 14 days of Emergency Paid Leave in
17 response to the coronavirus, but exempts large employers with 500 or more employees from
18 those requirements; and

19 WHEREAS, This bill would amend the federal Family and Medical Leave Act (FMLA) to
20 address needs related to the coronavirus, but exempts large employers with 500 or more
21 employees from those requirements; and

22 WHEREAS, On March 16, 2020, the San Francisco Health Officer issued Order No.
23 C19-07, directing all individuals living in the City and County of San Francisco to shelter in
24 place at their place of residence with limited exceptions; and

1 WHEREAS, On March 16, 2020, Mayor London N. Breed announced a Workers and
2 Families First Program to provide \$10 million in funding towards paid sick leave for private
3 sector workers who have been impacted by the COVID-19 pandemic; and

4 WHEREAS, This program will be available only if the employee has exhausted their
5 currently available sick leave, has exhausted or is not eligible for federal or state supplemental
6 sick leave, and their employer agrees to extend sick leave beyond current benefits; and

7 WHEREAS, Current California law does not ensure that a worker who is ordered to
8 stay home during a public health emergency will be paid; and

9 WHEREAS, Current federal law does not ensure that a worker who is ordered to stay
10 home during a public health emergency will be paid; and

11 WHEREAS, While certain local benefits are available to employees, such as San
12 Francisco’s Paid Sick Leave Ordinance, not all employees may be aware of their right to such
13 benefits; and

14 WHEREAS, Nontraditional workers such as domestic workers and day laborers, along
15 with undocumented workers do not have access to safety net programs such as
16 unemployment insurance; and

17 WHEREAS, Nearly one quarter of United States workers receive no form of paid sick
18 leave, according to Pew Research Center, with the lowest-paid workers being especially
19 vulnerable; and

20 WHEREAS, California State Assemblywoman Lorena Gonzalez announced new
21 legislation, Assembly Bill 3123 (AB 3123), to protect workers from retaliation when they take
22 leave during public health emergencies, like the ongoing coronavirus; and

23 WHEREAS, Under the proposed AB 3123, an employee can use their earned sick
24 leave if their place of business is closed by order of a public official due to a public health
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1 emergency, or if the employee is providing care or assistance to their child, whose school or
2 childcare provider is closed by order of a public official due to a public health emergency; and

3 WHEREAS, Under this proposed bill If an employee is complying with an isolation or
4 quarantine order issued by a public official due to a public health emergency, AB 3123 states
5 that an employer may not discharge or in any manner discriminate or retaliate against that
6 employee; and

7 WHEREAS, Individual economic health is inextricably linked to public health, as many
8 San Franciscans must forego work in order to abide by Order No. C19-07; now, therefore, be
9 it

10 RESOLVED, That the San Francisco Board of Supervisors urges the United States
11 Congress to mandate that all employers provide their employees an additional 14 days of paid
12 leave during public health emergencies, with public funds provided to make it possible for
13 small and medium sized businesses to comply; and, be it

14 FURTHER RESOLVED, That the San Francisco Board of Supervisors supports
15 H.R.6201 once amended to apply the additional emergency paid leave and FMLA
16 requirements to private entities that employ 500 or more employees; and, be it

17 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges further
18 action by California Governor Gavin Newsom and the California Legislature to address any
19 gaps in federal financial support and paid leave for workers ordered to stay home; and, be it

20 FURTHER RESOLVED, That the San Francisco Board of Supervisors supports AB
21 3123; and, be it

22 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the Office
23 of Economic and Workforce Development and Office of Labor Standards Enforcement to
24 jointly create a multilingual hotline for San Francisco workers to access information and rapid
25 enforcement actions to protect their rights and benefits; and, be it

1 FURTHER RESOLVED, That the San Francisco Board of Supervisors commits to
2 providing support for our local workforce through this crisis where federal and state actions fall
3 short; and, be it

4 FURTHER RESOLVED, That the Clerk of the Board of Supervisors, no later than 30
5 days after the passage of this Resolution, shall transmit copies of this Resolution to the
6 President and Vice President of the United States, to the Speaker of the House of
7 Representatives, to the Majority Leader of the Senate, to the U.S. Senators for the State of
8 California, to the Governor of California, and to the representatives of San Francisco on the
9 California State Legislature.

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