

File No. 191282

Committee Item No. 4

Board Item No. 1

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date March 9, 2020

Board of Supervisors Meeting

Date March 24, 2020

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Vacancy Notice
- Information Sheet
- Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date March 5, 2020

Completed by: _____

Date _____

1 [Police Code - Existing Exemption to Paid Parental Leave Ordinance]

2

3 Ordinance amending the Police Code to make an existing exemption to the Paid
4 Parental Leave Ordinance for employers with fully paid family leave policies consistent
5 with recent changes to state law.

6 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
7 Additions to Codes are in *single-underline italics Times New Roman font*.
8 Deletions to Codes are in *strikethrough italics Times New Roman font*.
9 Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code
subsections or parts of tables.

10

11 Be it ordained by the People of the City and County of San Francisco:

12

13 Section 1. Article 33H of the Police Code is hereby amended by revising Section
14 3300H.4, to read as follows:

15 **SEC. 3300H.4. SUPPLEMENTAL PAID PARENTAL LEAVE.**

16

* * * *


17 (d) Existing Paid Parental Leave Policies. This Article 33H does not require a
18 Covered Employer to provide Supplemental Compensation under Section 3300H.4 to a
19 Covered Employee if the employer's existing policy provides the employee with ~~at least six~~
20 ~~weeks~~ fully paid parental leave for at least the number of weeks paid leave is required by the
21 California Paid Family Leave law, as amended from time to time, within any twelve-month period
22 for purposes of New Child Bonding, whether or not such paid leave includes California Paid
23 Family Leave benefits. Unless the Employee elects otherwise, the ~~six weeks~~ fully paid parental
24 leave referenced in the prior sentence must be provided as ~~six~~ consecutive weeks.

25

1 Section 2. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.
5

6 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.
12

13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: 
16 BRADLEY A. RUSSI
Deputy City Attorney

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LEGISLATIVE DIGEST

[Police Code - Existing Exemption to Paid Parental Leave Ordinance]

Ordinance amending the Police Code to make an existing exemption to the Paid Parental Leave Ordinance for employers with fully paid family leave policies consistent with recent changes to state law.

Existing Law

The Paid Parental Leave Ordinance ("PPLO") requires certain employers in the City to provide supplemental compensation to employees who receive California Paid Family Leave benefits from the State to bond with a new child. The PPLO requires that employers provide supplemental compensation during the parental leave period such that the California Paid Family Leave wage replacement benefits plus the PPLO supplemental compensation equals the employee's normal gross weekly wage, subject to a cap. Under the PPLO, employers that provide fully paid parental leave for at least six-weeks, whether alone or in combination with California Paid Family Leave benefits, are exempt from the PPLO requirement to provide supplemental compensation.

The California Paid Family Leave law was recently amended to extend the benefit period from six weeks to eight weeks.

Amendments to Current Law

The proposed ordinance closes a potential loophole in the PPLO exemption created by the extension of California Paid Family Leave benefits to eight weeks. The proposed ordinance modifies the exemption for employers that provide fully paid leave for six weeks so that such exemption is available only where the employer provides fully paid leave for at least the number of weeks the employee is entitled to receive California Paid Family Leave benefits.

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SAN FRANCISCO

OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
LONDON BREED, MAYOR

OFFICE OF SMALL BUSINESS
REGINA DICK-ENDRIZZI, DIRECTOR

February 4, 2020

Ms. Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: BOS File No. 191282 - Police Code - Existing Exemption to Paid Parental Leave Ordinance

Small Business Commission Recommendation to the Board of Supervisors: **Approve.**

Dear Ms. Calvillo,

On January 27, 2020 the Small Business Commission (SBC or Commission) heard BOS File No. 191282 - Police Code - Existing Exemption to Paid Parental Leave Ordinance. Mr. Daniel Herzstein, aide to Supervisor Stefani provided the SBC with an overview of the legislation. The Commission voted unanimously (7-0) to recommend that the Board of Supervisors approve the legislation.

Thank you for considering the Commission's recommendation. Please feel free to contact me should you have any questions.

Sincerely,

Regina Dick-Endrizzi
Director, Office of Small Business

- cc: Catherine Stefani, Member, Board of Supervisors
- Noman Yee, President, Board of Supervisors
- Sophia Kittler, Mayor's Liaison to the Board of Supervisors
- Patrick Mulligan, Director, Office of Labor Standards and Enforcement
- Lisa Pagan, Office of Economic and Workforce Development
- Victor Young, Clerk, Rules Committee

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Dominica Donovan, Commission Secretary
Small Business Commission, City Hall, Room 448

FROM: Victor Young, Clerk, Rules Committee, Board of Supervisors

DATE: January 23, 2020

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Rules Committee

The Board of Supervisors' Rules Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 191282

Ordinance amending the Police Code to make an existing exemption to the Paid Parental Leave Ordinance for employers with fully paid family leave policies consistent with recent changes to state law.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

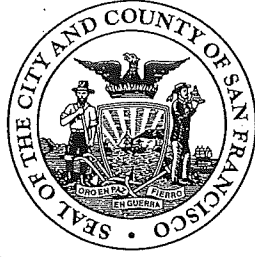
RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

_____ No Comment

_____ Recommendation Attached

Chairperson, Small Business Commission

BOARD of SUPERVISORS



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

MEMORANDUM

TO: William Scott, Police Chief

FROM: Victor Young, Assistant Clerk
Rules Committee

DATE: December 26, 2019

SUBJECT: LEGISLATION INTRODUCED

Victor Young

The Board of Supervisors' Rules Committee received the following proposed legislation on December 17, 2019:

File No. 191282

Ordinance amending the Police Code to make an existing exemption to the Paid Parental Leave Ordinance for employers with fully paid family leave policies consistent with recent changes to state law.

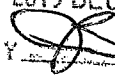
If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

c: Rowena Carr, Police Department
Asja Steeves, Police Department
Deirdre Hussey, Police Department

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 DEC 17 PM 2:05
Time stamp
BY  meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

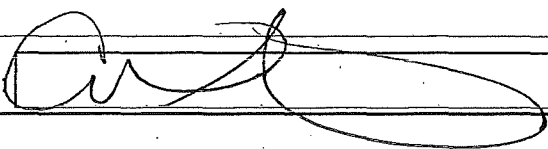
- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor 

For Clerk's Use Only