

**From:** [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Letter from GGRA re\_ File #211296 Family Friendly Work Ordinance Letter  
**Date:** Thursday, March 3, 2022 1:04:27 PM

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**From:** Amy Cleary <amy@ggra.org>  
**Sent:** Tuesday, March 1, 2022 2:28 PM  
**To:** Chan, Connie (BOS) <connie.chan@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Letter from GGRA re\_ File #211296 Family Friendly Work Ordinance Letter

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March 1, 2022

Board of Supervisors

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

Dear Supervisors,

On behalf of the Golden Gate Restaurant Association, we respectfully ask that you postpone consideration of **File # 211296 - Amending the Family Friendly Workplace Ordinance** so that more input from the employer community can be considered.

We appreciate the goals of this legislation and want to work together to ensure that it works for both employers and employees, but as such this we are concerned, could put a huge burden on our smaller employers. In particular, having this be effective for employers with 20 or more will include many small restaurants, cafes, bars and retail establishments that do not have the ability to make significant schedule modifications. In some cases they operate with a few employees working each position and it is a requirement that the employees start their shift at the same time.

We ask that you consider the following issues, and get input from more stakeholders before moving forward with the measure in its current form:

● **Small Business Definition:** As defined in the legislation, any business that employs 20 more people would be required to comply. We ask that you amend the number of employees for businesses to be exempted to 100. This will allow our small businesses that make San Francisco so special to continue to operate without an undue burden.

● **Undue Hardship:** Language added that “the size, financial resources, nature, or structure of the Employer’s business” must be considered when assessing undue hardship creates an unreasonable standard for medium and large employers who serve essential needs to the communities they are located in. When held to this standard, restaurants may be forced to change hours or close when they cannot properly staff their locations.

● **Frequency of Requests:** There should be a limit to the number of requests made. The current law allows requests to be made twice every twelve months, unless the employee experiences a major life event, in which case the employee may make, and the employer must consider, an additional request.

● **Time to Respond to Requests:** Seven days is too short of a period of time to ask an employer to respond to a request. We ask that you lengthen this time back to the current standard of 21 days which allows the employer to give the accommodation while having enough time to fill in employees for any gaps in scheduling that would be created.

● **Penalty Cap:** As recommended by the Small Business Commission, establish a reasonable cap on the financial penalties a business could incur per case For example: no more than \$2500 or the equivalent to 100 hours of the requesting employees pay.

We appreciate the engagement from the Board of Supervisors regarding concerns from the business community thus far, but some very real and serious concerns remain. We hope that we can continue this conversation and get to a measure that businesses can support as we work together towards a prosperous and healthy San Francisco in 2022 and beyond.

Thank you for your consideration.

Sincerely,



Laurie Thomas, Executive Director

Golden Gate Restaurant Association

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Amy Cleary

Director of Public Policy and Media Relations  
Golden Gate Restaurant Association  
415.370.9056  
[amy@ggra.org](mailto:amy@ggra.org)

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: Letter from SF Business Community re: File #211296 Family Friendly Work Ordinance Letter  
**Date:** Tuesday, March 1, 2022 2:34:46 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[Letter from SF Business Community re File #211296 Family Friendly Work Ordinance Letter.pdf](#)

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**From:** Daniel Herzstein <dherzstein@sfchamber.com>  
**Sent:** Tuesday, March 1, 2022 11:51 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>  
**Cc:** Chris Wright <chris@advancesf.org>  
**Subject:** Letter from SF Business Community re: File #211296 Family Friendly Work Ordinance Letter

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Dear Supervisors,

Please find attached a letter from members of the business community regarding the Family Friendly Work Ordinance.

Best,  
Daniel



**Daniel Herzstein**

Director, Public Policy

San Francisco Chamber of Commerce

235 Montgomery St., Ste. 760, San Francisco, CA 94104

(C) 415-305-8478 (E) [dherzstein@sfchamber.com](mailto:dherzstein@sfchamber.com)

Pronouns: he/him



March 1, 2022

Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Supervisors,

On behalf of many of the City's key business associations, we respectfully ask that you postpone consideration of **File # 211296 - Amending the Family Friendly Workplace Ordinance** so that more input from the employer community can be considered.

As we work to rejuvenate our vibrant neighborhood merchant communities and bring back the days of a bustling downtown, we must make sure that City laws both protect employees and allow businesses to properly staff their locations to stay open and serve the communities they are located in. We appreciate the goals of this legislation and want to work together to ensure that it works for both employers and employees.

We ask that you consider the following issues that remain, and get input from more stakeholders before moving forward with the measure in its current form:

- **Undue Hardship:** Language added that “the size, financial resources, nature, or structure of the Employer's business” must be considered when assessing undue hardship creates an unreasonable standard for medium and large employers who serve essential needs to the communities they are located in. When held to this standard, businesses like drug stores, banks, and groceries may be forced to change hours or close when they cannot properly staff their locations.
- **Frequency of Requests:** There should be a limit to the number of requests made. The current law allows requests to be made twice every twelve months, unless the employee experiences a major life event, in which case the employee may make, and the employer must consider, an additional request.
- **Time to Respond to Requests:** Seven days is too short of a period of time to ask an employer to respond to a request. We ask that you lengthen this time back to the current standard of 21 days which allows the employer to give the accommodation while having enough time to fill in employees for any gaps in scheduling that would be created.

- **Penalty Cap:** As recommended by the Small Business Commission, establish a reasonable cap on the financial penalties a business could incur per case For example: no more than \$2500 or the equivalent to 100 hours of the requesting employees pay.
- **Small Business Definition:** As defined in the legislation, any business that employs 20 more people would be required to comply. We ask that you amend the number of employees for businesses to be exempted to 100. This will allow our small businesses that make San Francisco so special to continue to operate without an undue burden.
- **Telework:** It is unclear if a covered employee actually has to work in San Francisco for some period of time or if an employee who works from a personal worksite outside of San Francisco is covered to this because the employer has an office in San Francisco. If so, the scope of employee base to which that could apply is virtually unlimited.

We appreciate the engagement from the Board of Supervisors regarding our concerns thus far, but some very real and serious concerns remain. We hope that we can continue this conversation and get to a measure that businesses can support as we work together towards a prosperous and healthy San Francisco in 2022 and beyond.

Thank you for your consideration.

Sincerely,

Rodney Fong  
San Francisco Chamber of Commerce

Chris Wright  
SF Partnership