

**From:** [Board of Supervisors \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Subject:** FW: SF Chamber Amendments to File #210181  
**Date:** Tuesday, March 9, 2021 1:57:07 PM  
**Attachments:** [Amendment to File #210181.pdf](#)  
[image002.png](#)

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**From:** Emily Abraham <[eabraham@sfchamber.com](mailto:eabraham@sfchamber.com)>  
**Sent:** Tuesday, March 9, 2021 10:08 AM  
**To:** Emily Abraham <[eabraham@sfchamber.com](mailto:eabraham@sfchamber.com)>  
**Subject:** SF Chamber Amendments to File #210181

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Dear Board of Supervisors,

On behalf of the Chamber of Commerce, thank you for your continued efforts around flattening the COVID-19 curve, and for taking legislative action to support the employees of our San Francisco businesses.

The Chamber supports efforts to keep San Francisco employees protected and employed. With this in mind, we propose the following amendments to File #210181 to maintain consistency throughout municipalities, eliminate any unnecessary administrative burdens, and streamline implementation. Please see attached for the proposed amendments.

Please reach out with any questions.

Respectfully,

Emily Abraham



**Emily Abraham**  
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March 9, 2021

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94012

**RE: Amendments to File #210181 “Emergency Ordinance - COVID-Related Hazard Pay”**

Dear Board of Supervisors,

On behalf of the Chamber of Commerce and the hundreds of large and small businesses we represent, thank you for your continued efforts around flattening the COVID-19 curve, and for taking legislative action to support the employees of our San Francisco businesses.

We support efforts to keep San Francisco employees protected and employed. With this in mind, we propose the following amendments to File #210181 to maintain consistency throughout municipalities, eliminate any unnecessary administrative burdens, and streamline implementation.

The San Francisco Chamber of Commerce proposes the following amendments to File #210181:

**Sunset Date Consistency**

*If eligible employees receive the vaccine before the 60 days in which this emergency ordinance expires, the City of San Francisco moves to a tier lower than the red tier, or the City reaches a certain positivity rate, eligible employees' hazard pay will end.*

The employers who are impacted have many locations in various cities and counties, and we ask for consistency in this emergency ordinance with that of other municipalities. Other cities have clearly outlined criteria for the sunset date in their ordinances. For example, in Berkeley's recently passed urgency ordinance on hazard pay for grocery store workers, city leaders included that *“Covered Employers shall provide the Hazard Pay required by this Chapter to any Covered Employee in the City of Berkeley until such time as the 7-Day Average COVID-19 positivity rate for Alameda County falls below 2.0%.”*<sup>1</sup>

We propose tying this ordinance to vaccinations as another option for sunset date consistency. On March 2nd, the California Department of Public Health confirmed that all grocery workers are now eligible for vaccines in every county in California<sup>2</sup>. In San Francisco, grocery associates began receiving vaccinations this week, and some providers are offering \$100 incentive to all associates who complete their COVID-19 vaccination. As we look towards recovery and enter lower health order tiers, grocery store and drugstore workers will become fully vaccinated, drastically reducing their risks.

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<sup>1</sup> BerkeleySide , 23 Feb. 2021, [www.berkeleyside.com/wp-content/uploads/2021/02/2021-02-23-URGENT-ITEM-Grocery-Worker-Hazard-Pay-2.pdf](http://www.berkeleyside.com/wp-content/uploads/2021/02/2021-02-23-URGENT-ITEM-Grocery-Worker-Hazard-Pay-2.pdf).

<sup>2</sup> California, State of. “Vaccines.” *Coronavirus COVID-19 Response*, [covid19.ca.gov/vaccines/#When-can-I-get-vaccinated](https://covid19.ca.gov/vaccines/#When-can-I-get-vaccinated)



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### **Clarity on Employee Eligibility**

*Added clarification that this ordinance is meant to apply only to hourly employees.*

Salaried managers are FLSA exempt, and therefore cannot be a part of a union or participate in collective bargaining agreements. Further, there is no system in place currently for employers to track hours of a salaried employee. The process needed to set up a system to track these hours would take far longer than the 3 days allotted for implementation. As we strive to reach consistency with other countries, please consider that in Los Angeles, their recently passed premium hazard pay legislation did not include an exempt manager.<sup>3</sup>

### **Effective Date Extended**

*One week from ordinance passage to implement.*

As stated above, altering and updating payroll systems takes time to implement. In order to properly update systems to ensure effective compliance, employers need more time for implementation.

Grocery stores and drugstores have been essential businesses to provide for local residents throughout this pandemic. Their workers have provided for our communities, and their efforts during these trying times should not go unrecognized.

These amendments would not detract from the goal of the legislation, and would continue to provide added hazard pay for those workers who are most at risk. We urge you to consider these amendments to ensure that implementation can be properly and effectively implemented to best serve our vulnerable frontline workers.

Thank you for your consideration,



San Francisco Chamber of Commerce

cc: Clerk of the Board, to be distributed to all Supervisors; Mayor London Breed; OEWD

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<sup>3</sup> <https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:c47ef56c-27b6-4099-a719-b2ae11f0ec2b>

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Subject:** FW: In support of hazard pay for essential workers, 210181  
**Date:** Monday, March 8, 2021 8:52:37 AM

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**From:** Cliff Bargar <cliff.bargar@gmail.com>  
**Sent:** Saturday, March 6, 2021 5:32 PM  
**To:** Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** In support of hazard pay for essential workers, 210181

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Hello Board President Walton,

As a constituent I'd like to thank you for introducing this legislation and express my support. While our City has fared better than most during the pandemic (in part due to strong leadership) these workers have continued to serve the public while risking their own health and safety. It seems as though we fortunately have an end in sight as vaccinations ramp up but until essential workers have all been given the chance to get vaccinated they continue to be at risk and they should be compensated as such.

Thank you,  
Cliff Bargar  
Potrero Hill