

File No. 156269

Committee Item No. 2

Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**

**AGENDA PACKET CONTENTS LIST**

Committee: Budget & Finance Sub-Committee Date June 10, 2015

Board of Supervisors Meeting Date \_\_\_\_\_

**Cmte Board**

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence                        |

**OTHER** (Use back side if additional space is needed)

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Completed by: Linda Wong Date June 5, 2015  
Completed by: Linda Wong Date \_\_\_\_\_

1 [Police Code - Formula Retail Employee Rights]

2  
3 Ordinance amending Articles 33F and 33G of the Police Code, which contain the  
4 formula retail employee rights ordinances, to change from 20 to 40 the number of retail  
5 sales establishments worldwide a business must have to be covered by the ordinances  
6 ~~employees in San Francisco required for a formula retail establishment to be covered~~  
7 ~~by the ordinances~~; and to allow collective bargaining agreements covering employees  
8 of formula retail establishments to waive the protections of Articles 33F and 33G.

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

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

17 Section 1. Background.

18 Ordinance No. 236-14, which created Article 33F of the Police Code, requires formula  
19 retail establishments to offer additional hours of work, when available, to current part-time  
20 employees. It also requires successor employers to retain employees for 90 days upon a  
21 change in control of the business. Ordinance No. 241-14, which created Article 33G of the  
22 Police Code, requires formula retail establishments to provide employees with two weeks'  
23 notice of work schedules, notice of changes to work schedules, and compensation for  
24 schedule changes made on less than seven days' notice and unused on-call shifts. It also  
25

1 provides part-time employees with the same starting rate of hourly pay, access to time off,  
2 and eligibility for promotions, as provided to full-time employees.

3  
4 Section 2. Article 33F of the Police Code is hereby amended by revising Section  
5 3300F.2 and adding Section 3300F.19 to read as follows:

6 **SEC. 3300F.2. DEFINITIONS.**

7 For purposes of this Article 33F, the following definitions apply:

8 \* \* \* \*

9 "Employer" shall mean any Person that owns or operates a Formula Retail  
10 Establishment with ~~20~~ 40 20 or more Employees in the City, including corporate officers or  
11 executives, who directly or indirectly or through an agent or any other person, including  
12 through the services of a temporary services or staffing agency or similar entity, employs or  
13 exercises control over the wages, hours or working conditions of any individual. For the  
14 purpose of calculating the ~~20~~ 40 20 -employee threshold referenced herein, Employees  
15 performing work in other Formula Retail Establishments in the City that are owned or operated  
16 under the same trade name by the same Employer shall be counted. Notwithstanding the  
17 foregoing definition, "Employer" does not include a Nonprofit Corporation or governmental  
18 entity.

19 \* \* \* \*

20 "Formula Retail Establishment" shall mean a business located in San Francisco that  
21 falls under the Planning Code's definition of "Formula Retail Use," as amended from time to  
22 time, except that the business must have at least ~~20~~ 40 retail sales establishments located  
23 worldwide.

24 \* \* \* \*

25 **SEC. 3300F.19. WAIVER UNDER COLLECTIVE BARGAINING AGREEMENT.**

1           For Employees of Formula Retail Establishments covered by a bona fide collective bargaining  
2 agreement, all or any portion of the applicable requirements of this Article 33F shall not apply to the  
3 extent that such requirements are expressly waived in the collective bargaining agreement in clear and  
4 unambiguous terms.

5  
6           Section 3. Article 33G of the Police Code is hereby amended by revising Section  
7 3300G.3 and adding Section 3300G.18 to read as follows:

8           **SEC. 3300G.3. DEFINITIONS.**

9           For purposes of this Article 33G, the following definitions apply:

10           \* \* \* \*

11           “Employer” shall mean any Person that owns or operates a Formula Retail  
12 Establishment with ~~20~~ ~~40~~ 20 or more Employees in the City, including corporate officers or  
13 executives, who directly or indirectly or through an agent or any other person, including  
14 through the services of a temporary services or staffing agency or similar entity, employs or  
15 exercises control over the wages, hours, or working conditions of any individual. For the  
16 purpose of calculating the ~~20~~ ~~40~~ 20 -employee threshold referenced herein, Employees  
17 performing work in other Formula Retail Establishments in the City that are owned or operated  
18 under the same trade name by the same Employer shall be counted. Notwithstanding the  
19 foregoing definition, “Employer” does not include a Nonprofit Corporation or governmental  
20 entity.

21           \* \* \* \*

22           “Formula Retail Establishment” shall mean a business located in San Francisco that  
23 falls under the Planning Code's definition of “Formula Retail Use,” as amended from time to  
24 time, except that the business must have at least ~~20~~ ~~40~~ 20 retail sales establishments located  
25 worldwide.

1  
2                   **SEC. 3300G.18. WAIVER UNDER COLLECTIVE BARGAINING AGREEMENT.**

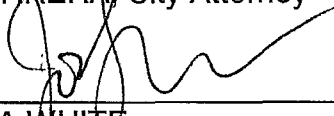
3                   For Employees of Formula Retail Establishments covered by a bona fide collective bargaining  
4 agreement, all or any portion of the applicable requirements of this Article 33G shall not apply to the  
5 extent that such requirements are expressly waived in the collective bargaining agreement in clear and  
6 unambiguous terms.

7  
8                   Section 4. Effective Date.

9                   This ordinance shall become effective 30 days after enactment. Enactment occurs  
10 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
11 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
12 Mayor's veto of the ordinance.

13  
14                   Section 5. In enacting this ordinance, the Board intends to amend only those words,  
15 phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams,  
16 or any other constituent part of the Police Code that are explicitly shown in this ordinance as  
17 additions, deletions, Board amendment additions, and Board amendment deletions in  
18 accordance with the "Note" that appears under the official title of the ordinance.

19  
20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By:   
23                   \_\_\_\_\_  
24                   JOSHUA WHITE  
25                   Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Police Code - Formula Retail Employee Rights]

**Ordinance amending Articles 33F and 33G of the Police Code, which contain the formula retail employee rights ordinances, to change from 20 to 40 the number of retail sales establishments worldwide a business must have to be covered by the ordinances; and to allow collective bargaining agreements covering employees of formula retail establishments to waive the protections of Articles 33F and 33G.**

Existing Law

The Board of Supervisors enacted two ordinances on November 25, 2014 that, collectively, have been referred to as the Formula Retail Workers' Bill of Rights (the "underlying ordinances").

One of the ordinances, No. 241-14, is entitled, "Predictable Scheduling and Fair Treatment for Formula Retail Employees Ordinance." It requires formula retail establishments to provide employees with two weeks' notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days' notice and unused on-call shifts. The ordinance also provides part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees. The other ordinance, No. 236-14, requires formula retail establishments to offer additional hours of work, when available, to current part-time employees. The ordinance also requires successor employers to retain employees for 90 days upon a change in control of the business.

Both ordinances define "formula retail establishment" to mean a business located in San Francisco that falls under the Planning Code's definition of "Formula Retail Use," except that the business must have at least 20 retail sales establishments located worldwide.

Both ordinances define "employer" to mean a Formula Retail Establishment in San Francisco with 20 or more employees in the City. On March 17, 2015, Supervisor Farrell introduced an ordinance that would change the employee threshold to 40.

Amendments to Current Law

The proposed legislation would change the definition of "formula retail establishment" to mean a business located in San Francisco falls under the Planning Code's definition of "Formula Retail Use," except that the business must have at least 40 retail sales establishments located worldwide.

The proposed legislation would change from 40 to 20 the number of employees in San Francisco required for a formula retail establishment to be covered by the ordinances.

AMENDED IN COMMITTEE  
5/13/15

FILE NO. 150269

The proposed legislation would allow unions representing formula retail employees to waive the protections of the underlying ordinances as part of a collective bargaining agreement.

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**Wong, Linda (BOS)**

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**From:** Gosiengfiao, Rachel (BOS)  
**Sent:** Tuesday, May 12, 2015 3:17 PM  
**To:** Wong, Linda (BOS)  
**Subject:** FW: File No. 150269  
**Attachments:** SF File 150269 Letter.pdf

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**From:** Tang, Katy (BOS)  
**Sent:** Tuesday, May 12, 2015 3:11 PM  
**To:** Gosiengfiao, Rachel (BOS)  
**Subject:** FW: File No. 150269

for the Board's records

**From:** Angie Manetti [<mailto:amanetti@calretailers.com>]  
**Sent:** Thursday, April 02, 2015 5:20 PM  
**To:** Mar, Eric (BOS); Farrell, Mark (BOS); Christensen, Julie (BOS); Tang, Katy (BOS); Breed, London (BOS); Kim, Jane (BOS); Yee, Norman (BOS); Wiener, Scott; Campos, David (BOS); Cohen, Malia (BOS); Avalos, John (BOS); Fannon, Una (MYR)  
**Cc:** Bill Dombrowski; Pamela Williams  
**Subject:** File No. 150269

Good afternoon,

Please find attached a letter on behalf of the California Retailers Association regarding the predictive scheduling policies adopted in San Francisco.

Thank you,

--  
Angie Manetti  
Director of Governmental Affairs  
California Retailers Association  
980 Ninth Street, Suite 2100  
Sacramento, CA 95814  
P: (916) 443-1975  
F: (916) 443-4218  
E: [amanetti@calretailers.com](mailto:amanetti@calretailers.com)





April 2, 2015

The Honorable London Breed  
President, San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

***RE: File No. 150269 Formula Retail Workers Bill of Rights***

Dear Supervisor Breed:

As you know, last December the Mayor returned to the Board of Supervisors unsigned, two proposed ordinances regulating certain employment practices of "formula retailers". Mayor Lee urged the Board to recognize that because of the various businesses impacted, a more nuanced approach to the legislation was necessary. As a result, amendments are pending in the Budget Committee to Police Code, Articles 33F and 33G, increasing the employee threshold for the business to be covered and excluding from coverage certain unionized employers.

During the coming weeks we hope that a dialogue can be opened regarding a number of provisions that seriously impact the ability of many businesses to manage its workforce. Our industry is dynamic and highly competitive. As such, retailers must identify efficiencies in order to maximize productivity thereby enhancing the customer experiences, which causes each retailer to approach their needs and challenges differently. The notice and record keeping requirements when offering additional work hours to part-time employees, the 14 day requirement for posting schedules and the penalty threshold dates for changed schedules pose different problems for different business types.

We hope that over the next few weeks, we can engage in an open dialogue and work towards a solution to this rigid approach, which fails to contemplate the unique needs of our industry.

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read 'AM', with a decorative flourish at the end.

Angie Manetti  
Director, Government Affairs

cc: The Honorable Ed Lee  
Supervisor Eric Mar  
Supervisor Mark Farrell  
Supervisor Julie Christensen  
Supervisor Katy Tang  
Supervisor Jane Kim  
Supervisor Norman Yee  
Supervisor Scott Wiener  
Supervisor David Campos  
Supervisor Malia Cohen  
Supervisor John Avalos



File # 150269  
Received in  
Committee  
5/13/15  
J.W.

**SCOTT FALKENHAIN**  
VICE PRESIDENT, OPERATIONS

March 25, 2015

San Francisco Board of Supervisors  
c/o Supervisor Mark Farrell  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689

Dear Supervisor Farrell:

On behalf of AMC Entertainment, I would like to respectfully express our opposition to the Predictable Scheduling and Fair Treatment for Formula Retail Employee Ordinance. We believe that the ordinance will cause undue hardship to our associates, our theatre management teams and our guests. With that in mind, we request that you veto the Scheduling Ordinance.

AMC operates two locations in San Francisco which employ well over one hundred associates. As the ordinance is intended to be fair practice for employers to give associates two weeks' worth of scheduling in advance, we believe that it will actually have the opposite effect than intended.

Our industry's business hours and labor models are based on the performance of film product in the marketplace. Several factors that dictate both:

1. Bookings – our locations are booked with features on Monday or Tuesday for a Friday opening. Our management teams make their attendance and operating plans based on the anticipated performance of the upcoming titles. The most accurate forecasting of a film's performance is only made available days prior to that Friday opening date.
2. Competitive Film Zones – one of our locations operates in a competitive film zone. Due to its proximity to another exhibitor's theatre, film product will only play at one of the locations. While most theatres have some advance notice of release dates, this location will not know definitively which product it will get until the Monday or Tuesday prior to the Friday opening.
3. Print Counts – another indicator of business levels is the number of auditoriums in which we are allowed to play a feature - also not finalized until the opening week. For example, *Furious 7* booked in one auditorium will generate far less attendance than *Furious 7* booked in five auditoriums. Additionally, if a film performs differently than expected, capacity is adjusted in real time to accommodate actual business levels.
4. Operating Hours – operating hours can vary from week to week and can only be finalized once booking and attendance projections are finalized. And, as often is the case, we find it necessary to expand operating hours in real time to ensure adequate capacity to meet guest demand.

Our associates are comprised of primarily high school and college students. We currently accommodate dozens of schedule requests each week in an effort to meet associates' ever changing schedules. The flexible work schedule is a key benefit that is explained during the recruitment process and that many of our associates appreciate.

Given all the variables that go into our weekly planning strategy, scheduling is already a complex process. Requiring us to provide fair and accurate schedules two weeks in advance is not possible.

We understand the need to provide associates with a fair schedule as far in advance as possible and we do that within the constraints of our business at 350 theatres week in, week out.

The Predictable Scheduling and Fair Treatment Act may very well have the opposite effect than is intended: AMC will have to schedule by erring on the side of caution so as not to increase exposure to penalties. This will significantly limit our ability to scale appropriately based on marketplace performance, negatively affecting our guests' enjoyment. And, in our experience, when the guest isn't happy, they stop going to the movies!

In closing, we cannot fairly create an associate schedule two weeks in advance in our industry and for the reasons outlined above I ask that you veto this ordinance.

Respectfully,



Scott Falkenhain  
Vice President, Operations

cc: Mayor Edwin M. Lee  
President London Breed  
Supervisor John Avalos  
Supervisor David Campos  
Supervisor Julie Christensen  
Supervisor Malia Cohen  
Supervisor Jane Kim  
Supervisor Eric Mar  
Supervisor Katy Tang  
Supervisor Scott Wiener  
Supervisor Norman Yee  
Angela Calvillo, Clerk of the Board of Supervisors



March 23, 2015

Supervisor Mark Farrell  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 224  
San Francisco, Ca. 94102-4689

Dear Supervisor Mark Farrell:  
San Francisco Board of Supervisors:

My name is Ted Mundorff, CEO of Landmark Theatres and I write to you as a business owner in the San Francisco. I would like to explain why the theatres should be excluded from *Article 33G: Predictable Scheduling and Fair Treatment for Formula Retail Employees Ordinance*.

The reasons are short and simple.

- Theatres do not know what title(s) they will play until almost four days before a scheduled film week. This information is critical in forming a base schedule for the floor staff employees and cannot be done until the titles are finalized.
- There are great fluctuations in the theatre industry that we cannot predict. Attendance for any film week can fluctuate significantly from theatre to theatre, film to film, and day to day. Weather, critics' reviews, local news, sporting events and other factors impact attendance. The unpredictability can make daily staffing at any theatre impossible to do without making some adjustments to meet business needs.
- Because of the two bullets above, this ordinance will add significant payroll to this industry based on the way it is structured and the variability of our attendance.

What will happen if the Ordinance passes for the theatre industry?

1. Theatre Exhibitors will staff what we think is needed for a two week schedule. Because of the volatility of attendance we will be forced to staff for what we believe will be the mid-range of attendance for those weeks. Since we are penalized for making changes we will hold the employee schedules firm.
  - a. If the movies perform better than expected, we are going to be understaffed. This provides a lesser experience, hurting the business. Patrons will have to wait longer for their popcorn and tickets. The theatre won't be as clean. Employees will be strained and unable to meet customer service demands. This will result in loss of patronage. The grosses for the theatre will eventually fall and our baseline schedule will get smaller and smaller until it collapses.

- b. If the movies underperform we will leave it overstaffed because we are forced to pay either way. Payroll becomes too much and are forced to raise prices to compensate for the overstaffing. When we raise prices patrons will find another way to get this entertainment like Netflix or Video on Demand. The grosses will begin to fall and marginal theatres will close.
- c. If we continue to react based on attendance to staff to the proper levels, payroll will become too much. Because we have to pay for every change, we are forced to raise ticket prices to compensate for the adjustments. Again, when we raise prices patrons will find another way to get this entertainment like Netflix or Video on Demand. The grosses will begin to fall and marginal theatres will close.

Respectfully,



Ted Mundorff  
CEO/President, Landmark Theatres

Cc: Mayor Edwin M. Lee, President London Breed, Supervisor John Avalos, Supervisor David Campos, Supervisor Julie Christensen, Supervisor Malia Cohen, Supervisor Jane Kim, Supervisor Eric Mar, Supervisor Katy Tang, Supervisor Scott Wiener, Supervisor Norman Yee, Angela Calvillo, Clerk of the Board of Supervisors

# CINEMARK<sup>®</sup>

March 30, 2015

CENTURY THEATRES CinéArts Tinseltown rave cinemas

Supervisor Mark Farrell  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689

Dear Supervisor Mark Farrell,

I am writing you to reiterate some key points in previous correspondence, from Mr. Milt Moritz, the head of our statewide trade association NATO (National Association of Theatre Owners of California/Nevada).

Cinemark presently operates 2 motion picture theatre complexes in the City of San Francisco. We have a 3 screen complex in West Portal, the Empire, as well as our 9 screen complex in the Westfield San Francisco Centre in downtown. We are proud to employ many individuals from diverse backgrounds at our theatres in San Francisco, the United States, and throughout Latin America.

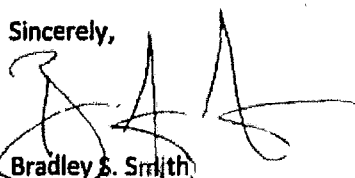
Over the years we have enabled many individuals to obtain degrees in higher education as well as being able to graduate from High School while also working at our theatres. The primary reason that employment at Cinemark works so well for students (and in many cases their parents) is because of the weekly flexibility we offer our employees. Between family obligations and school needs most of our employees have schedules that change weekly and, in some cases, daily. Our employees generally know on the Monday of the week what their upcoming obligations are and our current scheduling practices allows Cinemark to provide them hours while also meeting their scheduling needs.

We also need the ability to vary our staffing levels based on what films are opening any particular weekend and how they are projected to perform. The films that are going to open at any one theatre on Friday are usually not finalized until the Monday of the week the film will open. On that Monday, our general managers must create a staff schedule to fit the projected needs of those films, while also taking into account any requests from staff member to be on or off the schedule that next weekend. Because of films either over performing or underperforming, coupled with varying staff needs, including emergency situations, family needs and/or school needs the staff schedule is a *very fluid* document. This ultimately works very well for both the employee and the employer. Cinemark does not have an "on call" status but is usually able to provide hours to those who want them - when they want them.

Because of the uniqueness of our business and the attendance levels that fluctuate greatly from week to week and are also somewhat unpredictable, Cinemark is respectfully requesting that we be exempted from the SF Formula Retail Workers Bill of Rights. This exemption would allow us to continue to offer the flexible scheduling necessary in our business and to the advantage of many in our workforce.

Thanks you for your consideration on this matter.

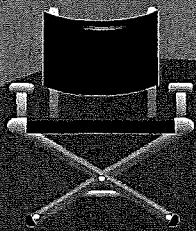
Sincerely,



Bradley S. Smith  
SVP, Human Resources

# THE THEATER BUSINESS: HOW IT WORKS

HOLLYWOOD

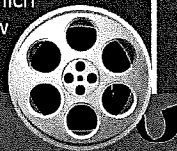


## MOVIE PRODUCTION

Films are financed and produced by the movie studios.

## DISTRIBUTION

Once movies are completed, films are turned over to studios' distribution/sales department who determine which theaters show the films.



## EXHIBITION

The theaters are known as exhibitors in the industry, where finished movies are seen.

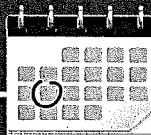
## FILM BOOKER

Each movie theater chain has their own bookers who negotiate with the distributors to determine which titles they receive.



## STAFF SCHEDULING

A theater manager cannot finalize a schedule until that weekend's bookings are completed, nor can theaters advertise titles and show times until Wednesday of each week.



## EXPECTATION (TRACKING)

Tracking companies help theatres estimate how much a film is expected to generate in box-office receipts, but they are anything but foolproof.



## THEATRE MANAGEMENT

The individual theaters receive tentative bookings on Mon/Tues before an upcoming weekend, but final bookings are not locked down until Tues PM.



## OPEN DAY BOX OFFICE

Box office opening receipts determine how many screens a particular movie will continue to be shown on or if another movie needs to replace it. Only after openings, film performances can be evaluated for staffing adjustments.



## STAFFING ADJUSTMENT (ATTENDANCE)

Unexpected increases or decreases in theatre attendance require adjustments in staffing on very short notice.



## SPECIAL LATE PROGRAMMING

Movie theatres are also accustomed to last minute promotional activities, which also requires late changes to employee scheduling.



## THEATER BUSINESS IS UNPREDICTABLE

Due to the business model of the entire movie distribution industry, theater owners are unable to know their staffing needs two weeks in advance. Quite simply, it is impossible to accurately forecast these precise staffing levels. Please visit [www.natocalnev.org](http://www.natocalnev.org) for more info.





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: Todd Rufo, Director, Office of Economic and Workforce Development

FROM: Linda Wong, Assistant Clerk, Budget and Finance Committee, Board of Supervisors

DATE: April 14, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

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The Board of Supervisors' Budget and Finance Sub-Committee has received the following proposed legislation, introduced by Supervisor Farrell:

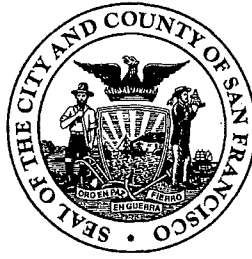
**File No. 150269**

**Ordinance amending the Police Code, Articles 33F and 33G, which contain the formula retail employee rights ordinances, to change from 20 to 40 the number of employees in San Francisco required for a formula retail establishment to be covered by the Ordinances; and to allow collective bargaining agreements covering employees of formula retail establishments to waive the protections of Articles 33F and 33G.**

If you have any additional 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.

c: Ken Rich, Office of Economic and Workforce Development

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: Regina Dick-Endrizzi, Director  
**Small Business Commission, City Hall, Room 448**

FROM: Linda Wong, Assistant Clerk, Budget and Finance Committee,  
Board of Supervisors

DATE: April 14, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Budget and Finance Committee

The Board of Supervisors' Budget and Finance Sub-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. 150269**

**Ordinance amending the Police Code, Articles 33F and 33G, which contain the formula retail employee rights ordinances, to change from 20 to 40 the number of employees in San Francisco required for a formula retail establishment to be covered by the Ordinances; and to allow collective bargaining agreements covering employees of formula retail establishments to waive the protections of Articles 33F and 33G.**

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

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or 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 [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) 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 a Imperative Form.**

**Sponsor(s):**

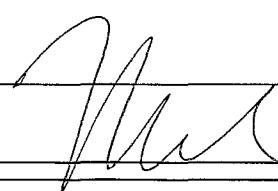
Supervisor Mark Farrell; Supervisor Eric Mar

**Subject:**

Police Code - Formula Retail Employee Rights

**The text is listed below or attached:**

Attached.

Signature of Sponsoring Supervisor: 

**For Clerk's Use Only:**

150269

