

File No. 200319

Committee Item No. _____

Board Item No. 17

COMMITTEE/BOARD OF SUPERVISORS

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Date: _____

Board of Supervisors Meeting

Date: March 31, 2020

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Prepared by: Brent Jalipa

Date: March 26, 2020

Prepared by: _____

Date: _____

1 [Urging the Mayor to Expand Emergency Childcare During COVID-19 - Require Large
2 Essential Businesses to Offer Expanded Workers' Rights Package]

3 **Resolution urging the Mayor to require employers in large retail grocery, retail drug**
4 **store, and food delivery services to offer expanded workers' rights package that**
5 **includes hazard pay, extended sick leave, and access to personal protection equipment**
6 **during the Coronavirus (COVID-19) emergency; and to expand existing emergency**
7 **childcare programs to provide childcare to the employees of those essential**
8 **businesses.**

9

10 WHEREAS, The City and County of San Francisco is currently experiencing an
11 outbreak of the coronavirus (COVID-19) which has been deemed a pandemic by the World
12 Health Organization; and

13 WHEREAS, According to the World Health Organization, as of March 24, 2020, there
14 are 398,100 confirmed cases of COVID-19 worldwide claiming the lives of 17,400 people; and

15 WHEREAS, In the United States as of March 24, 2020, there are already 46,805
16 cases, with 593 deaths; in California there are 2,297 confirmed cases, including 926
17 confirmed cases in the Bay Area, and 43 confirmed deaths in California, and 152 confirmed
18 cases in San Francisco; with these numbers continuing to rise at a rapid rate; and

19 WHEREAS, On March 6, 2020, the San Francisco Health Officer issued a Declaration
20 of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19), which was
21 preceded by a March 4, 2020, Proclamation of a State of Emergency issued by Governor
22 Gavin Newsom and a February 25, 2020, Proclamation by the Mayor Declaring the Existence
23 of a Local Emergency; and

24

25

1 WHEREAS, On March 16, 2020, the San Francisco Health Officer issued Order
2 No. C19-07, commonly referred to as *Shelter in Place*, directing all individuals living in the City
3 and County of San Francisco to shelter in place at their residence with limited exceptions; and

4 WHEREAS, As outlined by the *Shelter in Place*, Order No. C19-07, the San Francisco
5 Health Officer has determined that retail grocery, retail drug stores, and food delivery services
6 are exempted from the Shelter in Place ordinance and may still operate and provide essential
7 services to the City and County of San Francisco; and

8 WHEREAS, The safety protocols required by coronavirus such as self-isolation have
9 negatively impacted the ability of many hourly waged workers to continue working because
10 business has declined; and

11 WHEREAS, Many of the most at-risk and vulnerable populations, including those 65
12 years and older or with underlying health conditions, have turned to food delivery platforms as
13 a result of the social distancing measures recommended by Governor Newsom and Mayor
14 Breed; and

15 WHEREAS, Food and grocery delivery drivers and shoppers are a vulnerable
16 population of workers, not employed directly by grocery stores, but by third-party “delivery
17 platforms;” these businesses must provide workers with the necessary supplies, tools and
18 equipment to protect the worker and the public they are serving; and

19 WHEREAS, Even in the midst of this crisis, these workers have been asked to continue
20 their daily work tasks with no additional Personal Protective Equipment, despite nationwide
21 directives from the Center of Disease Control (CDC) to adhere to social distancing guidelines;
22 and

23 WHEREAS, Large grocery retail chains such as Whole Foods Market have reported
24 record sales in all of their stores nationwide with reports of customers lining up outside in the
25 early morning hours waiting for the store to open; and

1 WHEREAS, By midday, at many Whole Foods Market locations, essentials and staples
2 like toilet paper, bread, and pasta have been depleted and workers are scrambling to meet
3 the chaotic demands of the job given the volume of customers shopping at the stores; and

4 WHEREAS, Workers at Whole Foods Market report that they have never experienced
5 such chaotic work conditions and have described it as post-apocalyptic, with empty shelves;
6 and

7 WHEREAS, Many large grocery store workers are reporting that fellow co-workers are
8 having emotional breakdowns and panic attacks from the heightened stress of the job and
9 fear that they are at risk contracting COVID-19 given the lack of social distancing due to the
10 high volume of shoppers; and

11 WHEREAS, On March 16th, the day that the Shelter in Place order was announced
12 here in San Francisco; Safeway also announced that they had 2,000 job openings at more
13 than 165 Bay Area locations and desperately needed enough workers to work the deli, meat,
14 bakery, produce, and customer service departments of the store.

15 WHEREAS, Nationally the numbers are also exponentially high with large grocery,
16 retail drug, and food delivery platforms expecting to hire the following amount of people:
17 Instacart 300,000; Walmart 150,000; Amazon 100,000; CVS 50,000; Albertsons 30,000;
18 Kroger 10,000; Walgreens 9,500; and

19 WHEREAS, These numbers clearly show that these large businesses are not suffering
20 compared to many other businesses who are having to shutter their doors because of
21 COVID-19; and

22 WHEREAS, On March 16, 2020, the Governors of Minnesota and Vermont designated
23 grocery clerks as emergency personnel putting them amongst other jobs such as doctors,
24 nurses, paramedics, and public health workers; and

25

1 WHEREAS, Today, nearly 80 million American workers—or 59 percent of the entire US
2 workforce—are hourly employees who are not salaried and only get paid for the hours they
3 work; and

4 WHEREAS, United Food and Commercial Workers (UFCW) Local 5 and Local 648,
5 who represent over 7,000 workers in retail grocery, retail drug and food delivery, advocated
6 for their workers’ rights in providing essential services and successfully negotiated a
7 temporary \$2.00 per hour increase for all their members at Safeway and Rite-Aid, and are
8 currently negotiating with their remaining employers to do the same; and

9 WHEREAS, Governor Newsom announced on March 17, 2020, that schools will likely
10 remain closed for the remainder of the school year and not open until the Fall 2020, to help
11 control the spread of COVID-19; and

12 WHEREAS, Mayor Breed announced that emergency personnel such as doctors,
13 nurses, public health workers, and disaster services workers are at the front lines of
14 combatting this pandemic and would qualify for emergency childcare services with the
15 assistance of City departments, but excluded retail grocery, retail drug store, and food delivery
16 services from receiving childcare; and

17 WHEREAS, On March 16, 2020, the Governors of Minnesota and Vermont designated
18 grocery clerks as emergency personnel because of the essential services they provide to the
19 state; and

20 WHEREAS, In Minnesota the Governor's Executive Order 20-02 which made the
21 children of grocery store worker's children eligible for free school age care; and

22 WHEREAS, Vermont is developing a plan to reimburse private child care centers for
23 the service they provide to essential workers, including grocery clerks; now, therefore, be it
24
25

1 RESOLVED, The San Francisco Board of Supervisors reaffirms its commitment to front
2 line workers employed in essential businesses in order to ensure the health and well-being of
3 the city from COVID-19; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors urges Mayor Breed to exercise
5 her authority under Charter, Section 3.100.13 emergency powers clause to develop an
6 emergency order that requires employers in large retail grocery, retail drug store, and food
7 delivery industry to provide their workers with expanded rights that includes the following: 1)
8 additional hazard pay to encourage them to maintain employment in their respective
9 industries; 2) provide their employees an additional 14 days of paid leave during public health
10 emergencies; 3) for workers who contract COVID-19 or must self-quarantine in compliance
11 with the Center for Disease Control (CDC) guidelines for reasons like older age or immunity
12 issues, the employer will grant up to two weeks of pay before the workers are required to use
13 paid leave like sick leave, 4) implement a series of practices to assure a safe and sanitized
14 environment for workers and customers—including allowing employees to step away from
15 work to wash their hands at least every hour, 5) better enforcing 6-foot social distancing inside
16 stores and having hand sanitizer available to all members, especially those doing checkout
17 with customers; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors urges Mayor Breed to exercise
19 her authority under Charter, Section 3.100.13, emergency powers clause to provide child care
20 for all employees working in retail grocery, retail drug store, and food delivery services to
21 assist them with their child care needs during this global pandemic; and, be it

22 FURTHER RESOLVED, That the Clerk of the Board of Supervisors, no later than 30
23 days after the passage of this Resolution, shall transmit copies of this Resolution to the Office
24 of the Mayor, and to the representatives of San Francisco on the California State Legislature
25 urging that they pass similar resolutions.

Introduction Form

By a Member of the Board of Supervisors or 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 [] 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):

Haney, Walton, Mar, Ronen, Safai

Subject:

Resolution Urging the Mayor to Expand Emergency Childcare During COVID-19 and to Require Large Essential Businesses to Offer Expanded Workers' Rights Package

The text is listed:

Resolution urging the Mayor to require employers in large retail grocery, retail drug store, and food delivery services to offer expanded workers' rights package that includes hazard pay, extended sick leave, and access to personal protection equipment during the Coronavirus (COVID-19) emergency; and to expand existing emergency childcare programs to provide childcare to the employees of those essential businesses.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only