

BOARD of SUPERVISORS



City Hall
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MEMORANDUM

Date: January 9, 2023

To: Brooke Jenkins, District Attorney, Office of the District Attorney
David Chiu, Office of the City Attorney, City Attorney

From:  Angela Calvillo, Clerk of the Board, Board of Supervisors

Subject: Urging Employers, Including Twitter, Inc., to Comply with the Displaced Workers Act (File No. 221250)

On December 13, 2022, the Board of Supervisors adopted Resolution No. 547-22 sponsored by Supervisor Ahsha Safai (File No. 221250, Urging Employers, Including Twitter, Inc., to Comply with the Displaced Workers Act); enacted on December 22, 2022.

Please find the attached courtesy copy of the Resolution for your office's information and consideration.

If you have any questions or concerns, please contact the Office of the Clerk of the Board at (415) 554-5184.

c: Members of the Board of Supervisors; Supervisors Ahsha Safai, Shamann Walton, Connie Chan, Rafael Mandelman, Matt Dorsey, Catherine Stefani, Hillary Ronen, Myrna Melgar, Aaron Peskin
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Ana Gonzalez, Office of the District Attorney
Eugene Clendinen, Chief, Office of the District Attorney
Tara Anderson, Office of the District Attorney
Anne Pearson, Office of the City Attorney

1 [Urging Employers, Including Twitter, Inc., to Comply with the Displaced Workers Act]

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3 **Resolution urging employers, including Twitter, Inc., to comply with the Displaced**
4 **Workers Act, Article 33 of the Police Code, to provide opportunities for janitorial staff**
5 **and security guards to continue employment.**
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7 WHEREAS, The San Francisco Board of Supervisors is committed to protecting
8 workers' rights; and

9 WHEREAS, To that end, the Board adopted an Ordinance in 1998 called the Displaced
10 Workers Act, and commonly known as Article 33 of the Police Code; and

11 WHEREAS, The law requires awarding authorities who enter into contracts for security,
12 janitorial, and building maintenance services performed within the City and County of San
13 Francisco to meet certain standards such as ensuring a transition employment period for
14 displaced workers; and

15 WHEREAS, The transition employment period requires a 90 day period for employees
16 who have worked at the same site for eight months prior to work with a successor contractor;
17 and

18 WHEREAS, At the end of the 90-day period, the successor contractor may not release
19 these employees without cause, ensuring that they are judged based on their performance
20 and their hard work; and

21 WHEREAS, Recent reports demonstrate that there are many changes in the utilization
22 of these valuable services due to the COVID-19 pandemic and many contracts may be
23 canceled, rebid or renegotiated; and

24 WHEREAS, In one recent and glaring example, Twitter, Inc. terminated Flagship
25 Janitorial Services from providing services at 1355 Market Street, Suite 900, and has so far

1 failed to meet its obligations under the Displaced Workers Act, including the notification of the
2 new contractor and retention of the existing employees; and

3 WHEREAS, Current law provides for a right of private action to enforce the law; now,
4 therefore, be it

5 RESOLVED, That Board of Supervisors urges employers, including Twitter, Inc., to
6 comply with the Displaced Workers Act to provide opportunities for janitorial staff, security
7 guards and building maintenance staff members to continue employment; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
9 to forward a copy of this Resolution to the City Attorney and District Attorney for their review.
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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 221250

Date Passed: December 13, 2022

Resolution urging employers, including Twitter, Inc., to comply with the Displaced Workers Act, Article 33 of the Police Code, to provide opportunities for janitorial staff and security guards to continue employment.

December 13, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 221250

**I hereby certify that the foregoing
Resolution was ADOPTED on 12/13/2022 by
the Board of Supervisors of the City and
County of San Francisco.**



Angela Calvillo
Clerk of the Board

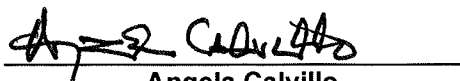
Unsigned

London N. Breed
Mayor

12/22/2022

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

12/22/2022

Date