

1 [Emergency Ordinance - COVID-Related Employment Protections]

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3 **Reenactment of emergency ordinance (Ordinance No. 162-20) to temporarily protect**  
4 **workers from adverse action if they test positive for COVID-19, are isolating or**  
5 **quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms**  
6 **or exposure; and to protect applicants from discrimination if they test positive for**  
7 **COVID-19, are isolating or quarantining, or have previously isolated or quarantined,**  
8 **due to COVID-19 symptoms or exposure.**

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

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

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16 Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

17 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in  
18 cases of public emergency affecting life, health, or property, or for the uninterrupted operation  
19 of any City or County department or office required to comply with time limitations established  
20 by law. An emergency ordinance enacted under Charter Section 2.107 automatically  
21 terminates on the 61st day after passage, but may be reenacted upon the same terms and  
22 conditions applicable to its initial enactment.

23 (b) Pursuant to Charter Section 2.107, the City enacted an emergency ordinance  
24 (Ordinance No. 162-20) to temporarily protect workers and applicants in San Francisco from  
25 adverse action and discrimination related to COVID-19. The emergency ordinance became

1 effective when enacted, on September 11, 2020, and it will terminate automatically on  
2 November 10, 2020, unless reenacted.

3 (c) The Board of Supervisors hereby finds that the findings declared in Sections 1 and  
4 2 of Ordinance No. 162-20 remain valid and compelling, and declares further that an actual  
5 emergency continues to exist that requires the reenactment of the emergency ordinance to  
6 remove a barrier to COVID-19 testing by addressing workers' and applicants' fear of losing  
7 work opportunities, contain the spread of the virus, and facilitate the gradual reopening of the  
8 economy.

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10 Section 2. Reenactment of Emergency Ordinance.

11 Consistent with Charter Section 2.107, this emergency ordinance reenacts for an  
12 additional 60 days the emergency ordinance protecting workers and applicants from adverse  
13 action and discrimination related to COVID-19 (Ordinance No. 162-20).

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15 Section 3. Effective Date; Retroactive Application; Expiration.

16 (a) If enacted prior to the expiration of Ordinance No. 162-20, this reenacted  
17 emergency ordinance shall become effective immediately upon the date of expiration of  
18 Ordinance No. 162-20, and shall itself expire on the 61st day following its effective date  
19 unless reenacted as provided by Charter Section 2.107.

20 (b) If enacted after the expiration of Ordinance No. 162-20, this reenacted emergency  
21 ordinance shall become effective immediately upon enactment, shall have operative effect  
22 retroactively to the date that Ordinance No. 162-20 expired, and shall expire on the 61st day  
23 following the date that Ordinance No. 162-20 expired, unless reenacted as provided by  
24 Charter Section 2.107.

1           Section 4. Directions to Clerk.

2           The Clerk of the Board of Supervisors is hereby directed to place a copy of this  
3 reenacted emergency ordinance in File No. 200765 for Ordinance No. 162-20 and to make a  
4 notation cross-referencing this emergency ordinance where Ordinance No. 162-20 appears  
5 on the Board of Supervisors website as legislation passed.

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7           Section 5. Supermajority Vote Required.

8           In accordance with Charter Section 2.107, passage of this reenacted emergency  
9 ordinance by the Board of Supervisors requires an affirmative vote of two-thirds of the Board  
10 of Supervisors.

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12 APPROVED AS TO FORM:  
13 DENNIS J. HERRERA, City Attorney

14 By:    /s/ \_\_\_\_\_  
15           LISA POWELL  
16           Deputy City Attorney

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