

Communication from Public

Name: Alexis Nunez

Date Submitted: 04/21/2020 03:32 PM

Council File No: 20-0147-S15

Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the pandemic crisis is over. Many workers have been at their jobs for their entire careers. We must show people that we value their years worth of time and energy. We need a strong right of recall with no sunset clause!

Communication from Public

Name: Omar S.

Date Submitted: 04/21/2020 03:37 PM

Council File No: 20-0147-S15

Comments for Public Posting: Work-related anxiety is at an all-time high as people fear losing the jobs they currently have or being unable to return to the jobs they had prior to this pandemic. If we really want things to "go back to normal" as quickly as possible after this, it is vital that we have a strong right of recall with no sunset clause. Our unemployment system is already bursting at the seams and will cost the states hundreds and millions of dollars for months to come. We need to keep employers afloat and tie that support to a requirement that they rehire the employees that were working for them prior to the pandemic.

Communication from Public

Name: Alex Fierro-Clarke

Date Submitted: 04/21/2020 04:46 PM

Council File No: 20-0147-S15

Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire careers. We need a strong right of recall with no sunset clause!

Communication from Public

Name: Danielle Carne
Date Submitted: 04/21/2020 04:08 PM
Council File No: 20-0147-S15
Comments for Public Posting: We need to let workers return to their careers after this crisis with no sunset clauses. I urge you to approve right of recall for LA's workers.

Communication from Public

Name: Chris Schmader
Date Submitted: 04/21/2020 04:10 PM
Council File No: 20-0147-S15
Comments for Public Posting: I urge the City Council to extend protections for workers by ensuring that they have a job to return to once the COVID-19 crisis has passed, specifically by passing a strong right of recall with no sunset clause.

Communication from Public

Name: Todd Johnson

Date Submitted: 04/21/2020 03:55 PM

Council File No: 20-0147-S15

Comments for Public Posting: Dear LA City Council: The Beverly Hills Chamber of Commerce writes to you to oppose any City Council effort to impose a Right of Recall or Right of Retention on private sector companies. Among other things, the proposed ordinances would require the following: • Require businesses that have laid off employees to offer discharged employees all positions which become available for which the employees are qualified. • Require businesses to offer positions to an employee with the greatest length of service should more than one employee be qualified for a position. • Require a 10-day waiting period after a business has recalled an employee in which the employee would need to accept or decline the offer. • Requiring companies under new ownership to retain all employees for 90 days absent just cause. Imposing a rigid offer and acceptance seniority system would make it impossible to successfully operate a business during this crisis and frankly represents an improper intrusion into the operation of private businesses. This policy will hurt newer workers who are doing a good job. And it will hurt businesses by preventing them from keeping the best performing or most needed employees. We also oppose any effort to impose this rule retroactively or to extend this rule indefinitely. Making this ordinance retroactive means any business that has already made a layoff decision could be fined and subject to a lawsuit even though they were operating within the law at the time. The unfairness of such an approach is clear. Todd Johnson President and CEO Beverly Hills Chamber of Commerce

Communication from Public

Name: Andy

Date Submitted: 04/21/2020 12:46 PM

Council File No: 20-0147-S15

Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire working lives. We need a strong right of recall with no sunset clause!

Communication from Public

Name: GAYE E SMITH
Date Submitted: 04/21/2020 10:27 AM
Council File No: 20-0147-S15
Comments for Public Posting: Require of rehire of workers after pandemic

Communication from Public

Name: Michal David

Date Submitted: 04/21/2020 09:21 AM

Council File No: 20-0147-S15

Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire careers. We need a strong right of recall with no sunset clause!

Communication from Public

Name:

Date Submitted: 04/21/2020 07:05 PM

Council File No: 20-0147-S15

Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire careers. We need a strong right of recall with no sunset clause!

Communication from Public

Name: Alexander Fleming
Date Submitted: 04/21/2020 05:15 PM
Council File No: 20-0147-S15
Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire careers. We need a strong right of recall with no sunset clause!

Communication from Public

Name:

Date Submitted: 04/21/2020 05:31 PM

Council File No: 20-0147-S15

Comments for Public Posting: On behalf of the Valley Industry & Commerce Association (VICA), we are writing to oppose the City Council's efforts to impose a Right of Recall Ordinance and Worker Retention Ordinance, which will negatively impact employers throughout the City of Los Angeles. See attached letter.



April 21, 2020

The Honorable Nury Martinez
Los Angeles City Council President
200 N Spring Street, Suite 470
Los Angeles, CA 90012

SUBJECT: Right of Recall and Worker Retention (Council Files: 20-0147-S15; 20-0147-S35; 20-0147-S42) - OPPOSE

Dear Council President Martinez,

On behalf of the Valley Industry & Commerce Association (VICA), we are writing to oppose the City Council's efforts to impose a Right of Recall Ordinance and Worker Retention Ordinance, which will negatively impact employers throughout the City of Los Angeles.

Given the global health crisis we are facing, businesses throughout Los Angeles have been doing their best to continue operating and generate enough revenue to avoid going out of business. These businesses have also adjusted their policies in order to retain as many of their workers during these challenging times.

We support the following motions to amend the Right of Recall and Worker Retention Ordinances:

- Amendment to only apply to businesses with more than 50 employees.
- Amendment to change the time limit in which a laid off worker must respond to the notice of recall opportunity from 10 days to 48 hours.
- Amendment to eliminate language which would allow punitive damages to be awarded to a laid off worker.
- Amendment to eliminate language that would void a waiver of rights by a laid off workers
- Amendment to exempt restaurants.
- Amendment to define "Employer" to not include non-profit institutions of higher learning that operate medical centers in the City of Los Angeles.

While motions for amendments to these policies have been made, the business community remains concerned as these ordinances would eliminate flexibility that businesses need to survive and ultimately preserve jobs and remain in their communities over the long term.

Recall based on seniority

Requiring businesses to recall employees based on seniority would make operating a business impossible during this public health and economic crisis. This requirement would undoubtedly worsen



staffing needs, as businesses would be required to wait after a recall offer has been made to an employee before being able to offer the position to another worker. Requiring a recall based on seniority also hurts newer skilled workers who were hired for moderate to high-level jobs prior to the COVID-19 crisis as they would remain without a job. Several young workers who are just starting their careers would continue to find themselves in a situation where they are unable to pay for rent, food and other essential needs.

Rebuttable Presumption

Some business owners have already needed to make tough decisions for their business due to the financial crisis, which was caused by the COVID-19 crisis. A rebuttable presumption would mean any business that has already made an economic decision would be subject to lawsuits. This is clearly a just cause termination ordinance as business owners would need to go to court to prove a worker was terminated for cause, which means an employer would pay high legal expenses.

At a time when many businesses are facing financial hardships, opening the door to lawsuits would contradict efforts to provide relief for businesses. This will cost local businesses millions of dollars as most Employment Practice Liability Insurance have a \$25,000 deductible per claim.

Sunset Provision

The two-year effective date of this ordinance is excessive and could go well beyond this crisis. We would recommend the ordinance be effective until December 31, 2020 to be consistent with the other urgency clauses approved by the City Council.

Collective Bargaining Agreements

For employers subject to collective bargaining agreements, such agreements specify procedures for layoffs and recalls. The current COVID-19 crisis makes it impossible for employers and unions to meet in order to affirmatively waive out of the ordinance. As such, the ordinance would put companies that are governed by collective agreements in direct conflict with those agreements, which have been negotiated and agreed upon. Employers would need to choose whether to follow the collective bargaining agreements and risk violating the provisions of the ordinance, or violate the provisions of their collective bargaining agreements and risk the filing of grievances and requests for arbitration. Both of these options would create a significant cost for employers who are struggling to maintain business continuity and resilience during this emergency.

Hospitality Industry

Amending this ordinance to only apply to the hospitality industry would burden businesses who have already faced the brunt of the economic impact of the public health crisis as a result of closures and reduced travel. This would further push employers in the hospitality industry out of business as the survival and recovery for this industry would be impossible.



As businesses throughout Los Angeles are suffering during this crisis, some of which have already shuttered permanently, the City must act to ensure their survival.

Thank you for your consideration on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Rosenheim', is positioned to the left of the typed name.

Brad Rosenheim
VICA Chair

A handwritten signature in black ink, appearing to read 'Stuart Waldman', is positioned to the right of the typed name.

Stuart Waldman
VICA President

Communication from Public

Name: Samantha Honowitz

Date Submitted: 04/21/2020 08:21 PM

Council File No: 20-0147-S15

Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire careers. We need a strong right of recall with no sunset clause!

Communication from Public

Name: Allison Mannos
Date Submitted: 04/21/2020 07:42 PM
Council File No: 20-0147-S15

Comments for Public Posting: Hello, I am writing as part of the Healthy LA coalition and Angeleno to urge the City Council to support several policies to protect our low-income families, both as renters and workers. First, I want to ask the Council to advance worker retention and right of recall policies with no sunset so low wage workers aren't penalized and can go back to work when the crisis is over. Second, I'm worried that this health crisis will also become a long-term eviction and economic crisis, leaving our most vulnerable community members who sacrificed everything to comply with the quarantine jobless, with lots of debt, and at risk of becoming homeless. Therefore, I urge the City Council to 1) pass a complete eviction moratorium that keeps my neighbors safe and with a home, 2) make sure mortgage relief is tied to relief for renters so that tenants don't accumulate rent debt, and 3) bring back measures to council to protect unhoused people. Thank you for your consideration.

Communication from Public

Name: edna monroy

Date Submitted: 04/21/2020 08:06 PM

Council File No: 20-0147-S15

Comments for Public Posting: Workers keep Los Angeles running, those same first responders and the most vulnerable low income struggling to make ends meet. We must pass strong worker protections to be able to get the same jobs they lost, and get back on their feet.

Communication from Public

Name: Erin Thompson
Date Submitted: 04/21/2020 07:50 PM
Council File No: 20-0147-S15
Comments for Public Posting: Workers need to be secure knowing that they will have a job to come back to once the crisis is over. Many workers have been at their jobs for their entire careers. We need a strong right of recall with no sunset clause!