

Communication from Public

Name: Michael Shilstone
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Comments for Public Posting: Please see attached letter.



April 27, 2020

Council President Nury Martinez
Los Angeles City Council
Via Email

Re: Worker Retention and Right of Recall Sunset Date

Dear Council President Martinez,

Established in 1924, Central City Association (CCA) is an organization committed to increasing Downtown's vibrancy and investment in the region. The proposed Worker Retention and Right of Recall ordinances will have significant impacts on our members and industries that have been most severely harmed by the economic consequences of the COVID-19 pandemic.

These ordinances were put forth in response to the emergency, but currently lack a sunset date, effectively making them permanent ordinances. However, the [report published by the Chief Legislative Analyst \(CLA\) dated April 17, 2020](#) makes it clear that permanent ordinances must be supported by engagement with affected industries and detailed economic analysis of potential impacts. **Neither engagement nor economic analysis have taken place and as such, the Worker Retention and Right of Recall ordinances must have a sunset date tied to the Local Emergency period. We recommend December 31, 2020 as the sunset date to coincide with the Supplemental Paid Sick Leave ordinance.**

As you know, the ordinances as do not have an expiration date and instead contain a clause instructing the CLA to report before March 1, 2022 on the effectiveness of the provisions and whether they are still necessary for the City's recovery from the impacts of the COVID-19 pandemic. A report is not a termination date, and these ordinances are permanent, for all intents and purposes. Moreover, this is a 2-year window and this timeline has no connection to the Local Emergency period.

As the CLA's report highlights, the City has adopted similar permanent ordinances before, including the Hotel Worker Retention Ordinance and the Grocery Worker Retention Ordinance. The latter ordinance was challenged in court and the Supreme Court of California ruled in the City's favor, specifically because the ordinance was supported by findings from economic studies and public outreach. The current ordinances were not supported by any analysis, outreach or other due diligence that would help inform a permanent ordinance.

If these are in fact emergency ordinances, they should include a sunset date that is linked to the term of the Local Emergency period. If they are not emergency ordinances and the City wishes instead to adopt permanent ordinances, it should carry out the necessary studies and engagement pursuant to the California Supreme Court's prior rulings. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "J Lall".

Jessica Lall
President & CEO

CC: Honorable Members of the Los Angeles City Council