

Communication from Public

Name: Chelsea

Date Submitted: 04/22/2020 10:26 AM

Council File No: 20-0147-S15

Comments for Public Posting: My name is Chelsea and I am a constituent of CD 14. We need to ensure that as many workers can get their jobs back as we exit the emergency period. This policy should cover as many workers as possible, and there should be no sunset clause.

Communication from Public

Name: Samantha Chappell
Date Submitted: 04/21/2020 01:29 PM
Council File No: 20-0147-S15
Comments for Public Posting: I am writing to express my strong support of the right of recall to ensure workers are rehired when the health emergency ends.

Communication from Public

Name: Elliot L Kronsberg

Date Submitted: 04/21/2020 08:27 PM

Council File No: 20-0147-S15

Comments for Public Posting: Dear Council, My name is Elliot Kronsberg. I am Councilman Koretz's constituent in Westwood. I am writing to you as part of the Healthy LA coalition because I'm worried that this health crisis will also become a long-term eviction and economic crisis, leaving our most vulnerable community members jobless, with lots of debt, and at risk of becoming homeless. Therefore, I urge the City Council to pass a right of recall to ensure workers are rehired when the health emergency ends. 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! Thank You, Elliot Kronsberg

Communication from Public

Name: Hospital Association of Southern California

Date Submitted: 04/21/2020 06:11 PM

Council File No: 20-0147-S15

Comments for Public Posting: Respectfully request a "NO" vote on this item. We must avoid enacting policy that contribute to unintended consequences in terms of increased costs. Prior to COVID-19, approximately 40% of hospitals operated in the red. The current economic downturn is likely to increase these losses and this policy will add to it. The Citywide Worker Retention Policy (section 200.31.C) creates a rebuttable presumption that any termination on or after March 4, 2020 "was due to a non-disciplinary reason." This presumption is of significant concern as it restricts a hospital's ability to enforce its own policies that include, but not limited to workplace attendance for purposes of preserving patient safety. It's unclear from the proposed ordinance (section 200.37) the reasoning on how a sunset date of March 1, 2022 was determined. The enforcement section (200.33.A) of this policy will further overwhelm our judicial system by making hiring and reinstatement rights a remedy in Superior Court. Finally, we oppose the collective bargaining waiver language that is included in the motion. This requirement would force hospitals and health systems with negotiated agreements to renegotiate a new addendum for every collective bargaining agreement at significant costs.



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April 21, 2020

The Honorable Nury Martinez
Council President
Los Angeles City Council
200 North Spring Street
Los Angeles, CA 90012

**RE: Council Agenda, April 22, 2020
Item #10 (20-0147-S15) – OPPOSE**

Dear Council President Martinez,

The Hospital Association of Southern California represents over 30 hospitals and health systems in the City of Los Angeles is in strong opposition of the Citywide Worker Retention Policy (20-0147-S15). Hospitals are presently working diligently to expand their capacity by an additional 40 percent per Governor Gavin Newsom’s directive in order to prepare for the surge of patients seeking medical treatment due to the COVID-19 pandemic. Accomplishing this directive requires a series of steps that include, but not limited to deployment of temporary tent(s) outside a hospital, purchasing additional supplies, equipment acquisition; and recruitment of additional health care workers to support the expanded operation during this pandemic.

As hospitals work in a methodical manner to implement their respective surge plan, we must avoid enacting policy that contribute to unintended consequences. Specifically, the Citywide Worker Retention Policy (section 200.31.C) creates a rebuttable presumption that any termination on or after March 4, 2020 “was due to a non-disciplinary reason.” This presumption is of significant concern as it restricts a hospital’s ability to enforce its own policies that include, but not limited to workplace attendance for purposes of preserving patient safety. It’s unclear from the proposed ordinance (section 200.37) the reasoning on how a sunset date of March 1, 2022 was determined. The Governor’s declaration is silent on a sunset, and in recent days, has discussed developing an informed and scientific pathway for a gradual reopening of our economy. Unfortunately, the enforcement section (200.33.A) of this policy will further overwhelm our judicial system by making hiring and reinstatement rights a remedy in Superior Court. This action will inflict an extreme burden on hospitals given the financial losses that are being incurred in a region where 40 percent of hospitals were already operating at a deficit prior to COVID-19.

Second, this motion, if enacted, would create a situation where every employee that is let go or laid off for ANY reason between now and March 2022, has an automatic cause of action in State court. This policy will penalize hospitals and health systems for work undertaken to comply with a state directive by impeding their ability to retract from the COVID-19 surge status.

Finally, we oppose the collective bargaining waiver language that is included in the motion. This requirement would force hospitals and health systems with negotiated agreements to renegotiate a new addendum for every collective bargaining agreement. Such a requirement would detract from the key focus of hospitals and health systems working with their workforce on the immediate, unprecedented challenges presented by this pandemic.

Thank you for your time and appreciate your rejection of this proposal.

A handwritten signature in black ink, appearing to read "Jaime Garcia". The signature is fluid and cursive, with a large initial "J" and "G".

Jaime Garcia

Regional Vice President – Los Angeles

Cc: Los Angeles City Councilmembers