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MOTION

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency regarding the outbreak of the novel COVID-19 virus, and on March 11, 2020, the World Health Organization officially declared the health crisis a pandemic.

Retail grocery and drug stores remain open, and their employees have become front-line responders to the public health emergency.

Many of the most at-risk Angelenos, including those 65 years and older or with underlying health conditions, have turned to food delivery platforms as a result of the social isolation measures recommended by Governor Newsom.

Food and grocery delivery drivers and shoppers are a vulnerable population of workers, not employed directly by grocery stores, but by third-party "delivery platforms." These businesses must provide workers with the necessary supplies, tools and equipment to protect the worker and the public they are serving.

WE, THEREFORE, MOVE that the Council determine, as provided in Section 54954.2(b)(2) of the Government Code, and pursuant to Rule 23 of the Rules of the City Council, that there is a need to take immediate action on this matter AND that the need for action came to the attention of the City Council subsequent to the posting of the agenda for today's Council meeting:

WE FURTHER MOVE that the City Council adopt the following recommendations:

1. REQUEST that the City Attorney to prepare and present an ordinance that:
  - a. Mandates that Grocery Retail, Drug Retail, and Food Delivery employees are allowed time to wash their hands (every 30 minutes) and that employer provides, at its expense, all necessary sanitary cleaners, including, but not limited to, hand sanitizer, disinfecting cleaning products, and protective gear (gloves etc.) and appropriate training on their proper use. Mandate sufficient staffing to ensure sanitary bathrooms are stocked with necessary soap, towels, toilet seat covers and toilet paper, and are made available to employees and public entering such work sites.
  - b. Provide access to coronavirus testing at no expense to worker for Grocery Retail, Drug Retail, food delivery workers.
  - c. Permit workers to alter their schedules to address childcare and family needs arising from pandemic without retaliation and with good faith effort to maintain hours. Offer full-time hours to current employees before hiring new employees.
2. REQUEST the City Attorney to prepare and present an ordinance to regulate food delivery platforms:
  - a. Require all delivery companies to register with the City if they intend to do business within the City. As part of the registration the Company(s) will indicate the number of drivers it believes it has that work in the City and pledge that it will serve all geographic areas of the City. The Companies will agree to a code of

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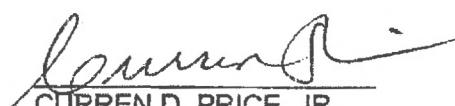
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conduct developed by the City, including a commitment to comply with the terms of this ordinance.

- b. Require delivery platforms to provide workers with hand sanitizer, disinfectant cleaning products, and other personal protective equipment as necessary (e.g., gloves, masks, etc.) as well as training on how to properly utilize these materials.
  - c. Prohibit a delivery platform from altering the terms and conditions of employment for drivers or shoppers (e.g. "deactivating") who choose to change their working schedule or patterns or refuse an order(s) during the State of Emergency.
  - d. Require delivery platforms to offer drivers and shoppers the option of executing a "non-contact delivery" at any time during the State of Emergency that balances the needs of the aged or disabled.
  - e. Require delivery platforms to maintain minimum liability insurance to cover liabilities arising from a food delivery driver or shopper's use of a vehicle in connection with food delivery platform.
  - f. Require that food delivery platforms, at their sole expense, must ensure compliance with laws regulating the adulteration of food and spread of communicable disease.
  - g. Prohibit retaliation: no adverse employment action for exercising rights granted under Ordinance.
3. INSTRUCT the Chief Legislative Analyst to work with County Department of Public Health, and report back to Council on options for delivery drivers to receive education and training on proper food handling to ensure the health and safety of the public.
  4. INSTRUCT the Chief Legislative Analyst to convene necessary stakeholders to develop a strategic plan to ensure retail food and drug stores are able to meet the needs of the public and their employees during this State of Emergency.

PRESENTED BY:

  
CURREN D. PRICE, JR.  
Councilmember, 9<sup>th</sup> District

  
HERB J. WESSON, JR.  
Councilmember, 10<sup>th</sup> District

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SECONDED BY:

