

MOTION

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The coronavirus pandemic is already having ripple effects across our communities and the local economy in the City of Los Angeles. Working families are seeing reduced or eliminated paychecks while rent and mortgage payments continue to come due. The City has a responsibility to act urgently in this fast-moving crisis to prevent thousands of families from facing eviction or bankruptcy.

Gig economy workers, service sector workers, retail workers, small business workers, and many others are living under extreme uncertainty. A minimum-wage worker in Los Angeles might already struggle to make rent if they miss one paycheck. But as people increasingly avoid public places because of the new coronavirus, hotels and restaurants in neighborhoods across our city are particularly feeling the impact. Workers -- especially those in the hospitality industry and those that work for tips -- are losing money quickly and families may not have enough money to pay essential bills like gas and electricity.

The City must act quickly to protect the rights of workers across our city, especially in the hospitality, service, janitorial, retail, and gig economy industries.

Most immediately, we must require all employers to provide time for employees to wash their hands every 30 minutes on the job. Workers lacking the time to properly wash and sanitize threatens public health.

Cities like Philadelphia have also adopted the policy of just cause for laying off workers, in which employers must show a bona fide reason to terminate employees. Los Angeles should pursue a similar policy.

In addition, the City should require employers to provide worker recall rights, in which laid-off workers have right of first refusal to return to jobs once businesses reopen.

Lastly, the City should pursue a worker retention policy in the case of bankruptcy or transfer of ownership. As some businesses declare bankruptcy and transition to alternate owners, the new owners should be required to retain the same employees. This is particularly of concern in the hospitality and tourism industries.

I THEREFORE MOVE that the Council direct City Attorney to draft an emergency ordinance, retroactive to March 1, 2020, to establish a "just cause termination" policy to protect workers laid off for economic reasons, in which such workers shall be discharged in order of seniority and have a right of recall in order of seniority. Employers shall not permanently terminate workers—removing right of recall—without documented just cause. City Attorney should refer to Santa Monica Municipal Code Section 4.66.10 et seq. as an example.

I FURTHER MOVE that the Council request the City Attorney to draft an emergency ordinance, retroactive to March 1, 2020, creating a citywide worker retention policy, in which employers that take over workplaces following a change in ownership or in control through subcontracting shall give preference in hiring to workers previously employed at the same worksite, and not terminated for just cause, in order of seniority. City Attorney should refer to Los Angeles Municipal Code Sections 181.00 et seq. and 183.00 et seq.; Santa Monica Municipal Code Chapter 4.67.050 for reference.

I FURTHER MOVE that the City Council direct City Attorney to draft an emergency ordinance requiring every employer to authorize and permit all workers to take a total of at least fifteen minute



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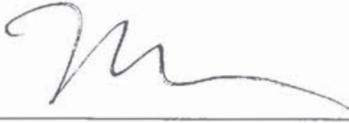
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breaks per four hours, or fraction thereof, as paid time during which they may wash their hands and attend to other matters of hygiene. This requirement should apply in addition to the rest periods to which workers are entitled under applicable Industrial Welfare Commission Orders.

PRESENTED BY:



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