

1 [Emergency Ordinance - COVID-Related Employment Protections]

2

3 **Reenactment of emergency ordinance (Ordinance No. 162-20) to temporarily protect**
4 **workers from adverse action if they test positive for COVID-19, are isolating or**
5 **quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms**
6 **or exposure; and to protect applicants from discrimination if they test positive for**
7 **COVID-19, are isolating or quarantining, or have previously isolated or quarantined,**
8 **due to COVID-19 symptoms or exposure.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

13

14 Be it ordained by the People of the City and County of San Francisco:

15

16 Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

17 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
18 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
19 of any City or County department or office required to comply with time limitations established
20 by law. An emergency ordinance enacted under Charter Section 2.107 automatically
21 terminates on the 61st day after passage, but may be reenacted upon the same terms and
22 conditions applicable to its initial enactment.

23 (b) Pursuant to Charter Section 2.107, the City enacted an emergency ordinance
24 (Ordinance No. 162-20) to temporarily protect workers and applicants in San Francisco from
25 adverse action and discrimination related to COVID-19. The emergency ordinance became

1 effective when enacted, on September 11, 2020, and it will terminate automatically on
2 November 10, 2020, unless reenacted.

3 (c) The Board of Supervisors hereby finds that the findings declared in Sections 1 and
4 2 of Ordinance No. 162-20 remain valid and compelling, and declares further that an actual
5 emergency continues to exist that requires the reenactment of the emergency ordinance to
6 remove a barrier to COVID-19 testing by addressing workers' and applicants' fear of losing
7 work opportunities, contain the spread of the virus, and facilitate the gradual reopening of the
8 economy.

9
10 Section 2. Reenactment of Emergency Ordinance.

11 Consistent with Charter Section 2.107, this emergency ordinance reenacts for an
12 additional 60 days the emergency ordinance protecting workers and applicants from adverse
13 action and discrimination related to COVID-19 (Ordinance No. 162-20).

14
15 Section 3. Effective Date; Retroactive Application; Expiration.

16 (a) If enacted prior to the expiration of Ordinance No. 162-20, this reenacted
17 emergency ordinance shall become effective immediately upon the date of expiration of
18 Ordinance No. 162-20, and shall itself expire on the 61st day following its effective date
19 unless reenacted as provided by Charter Section 2.107.

20 (b) If enacted after the expiration of Ordinance No. 162-20, this reenacted emergency
21 ordinance shall become effective immediately upon enactment, shall have operative effect
22 retroactively to the date that Ordinance No. 162-20 expired, and shall expire on the 61st day
23 following the date that Ordinance No. 162-20 expired, unless reenacted as provided by
24 Charter Section 2.107.



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 201150

Date Passed: November 10, 2020

Reenactment of emergency ordinance (Ordinance No. 162-20) to temporarily protect workers from adverse action if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure; and to protect applicants from discrimination if they test positive for COVID-19, are isolating or quarantining, or have previously isolated or quarantined, due to COVID-19 symptoms or exposure.

November 05, 2020 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

November 10, 2020 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201150

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/10/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

11.20.20

Date Approved