Resolution urging the Mayor to require employers in large retail grocery, retail drug store, and food delivery services to offer expanded workers’ rights package that includes hazard pay, extended sick leave, and access to personal protection equipment during the Coronavirus (COVID-19) emergency; and to expand existing emergency childcare programs to provide childcare to the employees of those essential businesses.

WHEREAS, The City and County of San Francisco is currently experiencing an outbreak of the coronavirus (COVID-19) which has been deemed a pandemic by the World Health Organization; and

WHEREAS, According to the World Health Organization, as of March 24, 2020, there are 398,100 confirmed cases of COVID-19 worldwide claiming the lives of 17,400 people; and

WHEREAS, In the United States as of March 24, 2020, there are already 46,805 cases, with 593 deaths; in California there are 2,297 confirmed cases, including 926 confirmed cases in the Bay Area, and 43 confirmed deaths in California, and 152 confirmed cases in San Francisco; with these numbers continuing to rise at a rapid rate; and

WHEREAS, On March 6, 2020, the San Francisco Health Officer issued a Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19), which was preceded by a March 4, 2020, Proclamation of a State of Emergency issued by Governor Gavin Newsom and a February 25, 2020, Proclamation by the Mayor Declaring the Existence of a Local Emergency; and
WHEREAS, On March 16, 2020, the San Francisco Health Officer issued Order No. C19-07, commonly referred to as *Shelter in Place*, directing all individuals living in the City and County of San Francisco to shelter in place at their residence with limited exceptions; and

WHEREAS, As outlined by the *Shelter in Place*, Order No. C19-07, the San Francisco Health Officer has determined that retail grocery, retail drug stores, and food delivery services are exempted from the Shelter in Place ordinance and may still operate and provide essential services to the City and County of San Francisco; and

WHEREAS, The safety protocols required by coronavirus such as self-isolation have negatively impacted the ability of many hourly waged workers to continue working because business has declined; and

WHEREAS, Many of the most at-risk and vulnerable populations, including those 65 years and older or with underlying health conditions, have turned to food delivery platforms as a result of the social distancing measures recommended by Governor Newsom and Mayor Breed; and

WHEREAS, 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; and

WHEREAS, Even in the midst of this crisis, these workers have been asked to continue their daily work tasks with no additional Personal Protective Equipment, despite nationwide directives from the Center of Disease Control (CDC) to adhere to social distancing guidelines; and

WHEREAS, Large grocery retail chains such as Whole Foods Market have reported record sales in all of their stores nationwide with reports of customers lining up outside in the early morning hours waiting for the store to open; and
WHEREAS, By midday, at many Whole Foods Market locations, essentials and staples like toilet paper, bread, and pasta have been depleted and workers are scrambling to meet the chaotic demands of the job given the volume of customers shopping at the stores; and

WHEREAS, Workers at Whole Foods Market report that they have never experienced such chaotic work conditions and have described it as post-apocalyptic, with empty shelves; and

WHEREAS, Many large grocery store workers are reporting that fellow co-workers are having emotional breakdowns and panic attacks from the heightened stress of the job and fear that they are at risk contracting COVID-19 given the lack of social distancing due to the high volume of shoppers; and

WHEREAS, On March 16th, the day that the Shelter in Place order was announced here in San Francisco; Safeway also announced that they had 2,000 job openings at more than 165 Bay Area locations and desperately needed enough workers to work the deli, meat, bakery, produce, and customer service departments of the store.

WHEREAS, Nationally the numbers are also exponentially high with large grocery, retail drug, and food delivery platforms expecting to hire the following amount of people: Instacart 300,000; Walmart 150,000; Amazon 100,000; CVS 50,000; Albertsons 30,000; Kroger 10,000; Walgreens 9,500; and

WHEREAS, These numbers clearly show that these large businesses are not suffering compared to many other businesses who are having to shutter their doors because of COVID-19; and

WHEREAS, On March 16, 2020, the Governors of Minnesota and Vermont designated grocery clerks as emergency personnel putting them amongst other jobs such as doctors, nurses, paramedics, and public health workers; and
WHEREAS, Today, nearly 80 million American workers—or 59 percent of the entire US workforce—are hourly employees who are not salaried and only get paid for the hours they work; and

WHEREAS, United Food and Commercial Workers (UFCW) Local 5 and Local 648, who represent over 7,000 workers in retail grocery, retail drug and food delivery, advocated for their workers’ rights in providing essential services and successfully negotiated a temporary $2.00 per hour increase for all their members at Safeway and Rite-Aid, and are currently negotiating with their remaining employers to do the same; and

WHEREAS, Governor Newsom announced on March 17, 2020, that schools will likely remain closed for the remainder of the school year and not open until the Fall 2020, to help control the spread of COVID-19; and

WHEREAS, Mayor Breed announced that emergency personnel such as doctors, nurses, public health workers, and disaster services workers are at the front lines of combatting this pandemic and would qualify for emergency childcare services with the assistance of City departments, but excluded retail grocery, retail drug store, and food delivery services from receiving childcare; and

WHEREAS, On March 16, 2020, the Governors of Minnesota and Vermont designated grocery clerks as emergency personnel because of the essential services they provide to the state; and

WHEREAS, In Minnesota the Governor's Executive Order 20-02 which made the children of grocery store worker's children eligible for free school age care; and

WHEREAS, Vermont is developing a plan to reimburse private child care centers for the service they provide to essential workers, including grocery clerks; now, therefore, be it
RESOLVED, The San Francisco Board of Supervisors reaffirms its commitment to front line workers employed in essential businesses in order to ensure the health and well-being of the city from COVID-19; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges Mayor Breed to exercise her authority under Charter, Section 3.100.13 emergency powers clause to develop an emergency order that requires employers in large retail grocery, retail drug store, and food delivery industry to provide their workers with expanded rights that includes the following: 1) additional hazard pay to encourage them to maintain employment in their respective industries; 2) provide their employees an additional 14 days of paid leave during public health emergencies; 3) for workers who contract COVID-19 or must self-quarantine in compliance with the Center for Disease Control (CDC) guidelines for reasons like older age or immunity issues, the employer will grant up to two weeks of pay before the workers are required to use paid leave like sick leave, 4) implement a series of practices to assure a safe and sanitized environment for workers and customers—including allowing employees to step away from work to wash their hands at least every hour, 5) better enforcing 6-foot social distancing inside stores and having hand sanitizer available to all members, especially those doing checkout with customers; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges Mayor Breed to exercise her authority under Charter, Section 3.100.13, emergency powers clause to provide child care for all employees working in retail grocery, retail drug store, and food delivery services to assist them with their child care needs during this global pandemic; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors, no later than 30 days after the passage of this Resolution, shall transmit copies of this Resolution to the Office of the Mayor, and to the representatives of San Francisco on the California State Legislature urging that they pass similar resolutions.
Resolution urging the Mayor to require employers in large retail grocery, retail drug store, and food delivery services to offer an expanded workers' rights package that includes hazard pay, extended sick leave, and access to personal protection equipment during the Coronavirus (COVID-19) emergency; and to expand existing emergency childcare programs to provide childcare to the employees of those essential businesses.

March 31, 2020 Board of Supervisors - ADOPTED
Ayes: 10 - Fewer, Haney, Mandelman, Mar, Preston, Ronen, Safai, Stefani, Walton and Yee
Absent: 1 - Peskin

File No. 200319

I hereby certify that the foregoing Resolution was ADOPTED on 3/31/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board