

Communication from Public

Name: Hodan

Date Submitted: 03/27/2020 01:05 PM

Council File No: 20-0147-S39

Comments for Public Posting: 79% of restaurants in LA county have less than 25 employees. These restaurants account for 39% of total restaurant employment. LA City Council: don't carve out nearly 40% of restaurant workers from paid sick leave! We need a #Healthy LA.

Communication from Public

Name: Jamie Boalbey

Date Submitted: 03/27/2020 01:15 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Jamie Boalbey and I operate Pitfire Pizzas in Mar Vista, Westwood, North Hollywood, and Pasadena. On behalf of myself and my employees, we urge you to consider the needs of restaurants and the hospitality industry. Many of us are small businesses who will be irrevocably harmed during this unstable time. In the past few days, every restaurant and bar in the City has been forced to close or pivot to accommodate delivery-only and takeout. For many restaurants, it is unfeasible to make this adjustment. While we understand that this is for the good of our community, it has had a detrimental effect on our business and our employees. Our employees are family to us. Since the mandated shut-down, we have done everything possible to take care of them for as long as this may last and work to make sure they have a job to come back to when we are able to re-open. However, I worry that some of the proposed ordinances will end up hurting our employees more than they would help them. We ask that you **STRONGLY OPPOSE** Item 4. This will bankrupt my and every other restaurant, bar and retail store in Los Angeles. We will never be able to reopen if we are forced to pay a 2 week severance to every single employee because we were shut down by the City of Los Angeles! This is one of the most destructive pieces of legislation I have ever seen. We ask that you please oppose Item 2. This will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. At this week's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Thank you, Jamie Boalbey Director of Operations

Communication from Public

Name: Aditi Fruitwala

Date Submitted: 03/27/2020 01:12 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Aditi Fruitwala and I'm a Staff Attorney at the ACLU of Southern California. The ACLU is part of the HealthyLA Coalition and we strongly support the proposals contained in the coalition letter for strong tenant and worker protections. Because many other groups have already spoken and written on the importance of tenant protections, I'm going to focus on the need for paid sick days. LA provides 6 paid sick days, which may be more than other jurisdictions but it's woefully insufficient during a public healthy emergency. We are advocating for 14 paid sick days at a minimum so that workers can take time off to care for themselves and their sick loved ones. I understand that there has been a proposal to study the impact of paid sick days and report back in 30 days – and while that might be reasonable under normal circumstances, the reality is that we don't have the time to wait 30 days right now. Workers are getting sick today. And they're putting themselves and everyone around them at risk when they're forced to go to work. I also want to address the potential carve outs. I know that small businesses and restaurants are requesting carve outs like the federal bill provides – but sickness does not discriminate. Workers at small business can get sick. Restaurant workers can get sick. And it's irresponsible to not provide sufficient sick days to allow them to take time off of work. It's dangerous for everyone if a restaurant worker is forced to go to work when they're sick and forced to prepare food that others will receive. This is about workers' rights, it's about public health, and it can't wait 30 days; it must be passed today.

Communication from Public

Name: Elizabeth Valdivia

Date Submitted: 03/27/2020 01:06 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Elizabeth, I work for the League of Women Voters of Los Angeles, and I am commenting as part of the Healthy LA coalition to ask to enact stronger protections for our community in response to COVID-19. My mother has worked for the Vallarta for almost 20 years and has overcome all the adversity to raise us on her own. My younger sister has worked for the Vallarta two years. They are both incredibly hard working women who are doing everything they can at their job to respond to the COVID-19 global pandemic crisis. They are working hard to meet the demand of labor at grocery stores, and are putting their health at risk to sustain our communities in the San Fernando Valley. I worry about them both, I worry about my mom who is 51 years old about her health being at-risk. There is no sick leave provided, there is no guarantee their job is secure after taking sick leave, or compensation for becoming sick on the job. Grocery store workers are putting their health at risk and face too much exposure everyday, but there is not enough protections leaving them very vulnerable to being sick or sinking financially. Workers like my mom and sisters, and families like ours deserve immediate action to protect our health and our livelihoods. I urge to support the motions that provide 14 days of paid sick leave to all workers and prohibit retaliation against those who take it. Workers must feel safe to stay home through their illness for the public's safety. Please help workers like my mom and sister, who are first responders to the pandemic. Thank you.

Communication from Public

Name: Kristen Schwarz

Date Submitted: 03/27/2020 12:43 PM

Council File No: 20-0147-S39

Comments for Public Posting: City Council must act to protect workers and customers at ALL companies by mandating paid sick leave. If this policy isn't universal it won't do what it's designed to do: dampen the spread of infection!

Communication from Public

Name: Amardeep Gill

Date Submitted: 03/27/2020 12:40 PM

Council File No: 20-0147-S39

Comments for Public Posting: I urge you council members to please think about the people who voted for you and the communities that you represent. Restaurants and other businesses have been lobbying hard for exemptions to LA's emergency paid sick leave ordinance. Workers MUST be able to stay home when they are sick. Workers need 80 additional hours of paid sick leave with no carve-outs and no exemptions! Also 79% of restaurants in LA county have less than 25 employees. These restaurants account for 39% of total restaurant employment. LA City Council: don't carve out nearly 40% of restaurant workers from paid sick leave! No matter the size, any business can spread Covid-19. This is a matter of health and safety for workers as well as the community at large. Los Angeles workers need 80 additional hours of paid sick leave -- no exceptions! Thank you.

Communication from Public

Name: David Quattrocchi

Date Submitted: 03/27/2020 12:45 PM

Council File No: 20-0147-S39

Comments for Public Posting: Protect tenants with an indefinite full rent moratorium with fundraising assistance available to those who cannot pay it back within 6 months; provide job assistance for those laid off or fired during the next few months; provide all safety assistance including gloves and N95 masks for workers of grocery, drug retail, and food delivery with complete medical coverage for infected workers; cover sick leave for any workers sick or tending to sick loved ones during the pandemic; require retail food stores to dedicate one hour of customer business exclusively to the elderly and the disabled. And do this all with compassion and complete forgiveness in the name of humanity and love for your constituents who rely on you to assist in timely and helpful ways during crises such as this one.

Communication from Public

Name: Daiva Maria Mattis

Date Submitted: 03/27/2020 12:51 PM

Council File No: 20-0147-S39

Comments for Public Posting: Council File Number: 20-0147-S39 My name is Daiva Mattis and I am a owner of a small restaurant and bar that has been shut down by the city. This effectively completely removes ALL revenue for the restaurant and bar. This in turn removes any possible pay for employees, while utilities and other expenses such as insurance still need to be paid by owners. Many restaurants and small businesses are in the same position and if rent still has to be paid, in addition to this, it is simply NOT sustainable. Small businesses are the backbone of this city, please do not force us to shut our doors. This could bankrupt me and every other restaurant, and leave no jobs or employment for my once employees to return to after this. We canNOT afford to pay 2 weeks severance for every employee because we were shut down by the City.

Communication from Public

Name: Elizabeth isralowitz

Date Submitted: 03/27/2020 12:53 PM

Council File No: 20-0147-S39

Comments for Public Posting: I wish to speak on items 1-5, item 15 and public comment. I am speaking from the Los Angeles tenants union, Wilshire center Koreatown neighborhood council a resident of CD 13 and a worker in CD 14. I ask the council ammend items 1-5 to meet the requests of the Healthy LA coalition and the LA Tenants Union. I ask for a complete eviction moratorium for all evictions and the enactment of a renters right to council. To do this I request the city council hold an additional emergency meeting no later than March 30th to meet the April 1st rent deadline. Working though the weekend may not be ideal but is what many of us must do to make it by. The residents of Los Angeles call on you to use imenant domain to open all state, government agency, and city owned residential buildings and lots to immediate use as affordable housing and/or resource for the unhoused and unemployed. This includes immediate use if the 200 vacant homes owned by CalTrans and an end to the harassment of those reclaiming their rightful homes. The people of Los Angeles immediately call for all privately owned vacant residential units, many of which are owned by large corporations that have been bleeding our residents for years, to be used to house the unhoused and housing insecure who are ready to transition independent housing. After which these units should continue to be made available to these individuals at a rate to be negotiated with residents and local support agencies. I also ask that as we continue into this recession like none any of us have experienced before you authorize a roll back of all rent increases over the past 5 years of more than a cumulative 10% . On item 15 I completely support the cities acquisition of Hillside Villa. For the record I would like to divulge I am not a renter, I am homeowner and at one time a landlord, and a public school teacher I worked two jobs to save to purchase my home. But I support people of this city the majority of whom are renters and are struggling. If this all sounds extreme to landlords be aware renters hold the numbers and in numbers there is power. I believe protections should be given to small rental owners but we should not be bailing out corporate developers and landlords. Finally, I ask that the city council and the city attorney's office place a moratorium on all Los Angeles city planning approvals of discretionary and non-discretionary projects until a system of teleconferencing is in place or the crisis

has subsided and NCs are conducting regular meetings.

Communication from Public

Name: Zach Negin

Date Submitted: 03/27/2020 01:28 PM

Council File No: 20-0147-S39

Comments for Public Posting: I am a renter in CD4 and a business owner in CD13. I own two bars, both of which have been closed since March 15th. We, along with every other mom and pop restaurant, bar and food service establishment in this city is FIGHTING FOR THEIR LIVES right now. We had to lay off our friends, our family, and ourselves. We love our employees. We have started donation funds for them. We are giving them all our perishable food. We are fighting for them to have jobs to come back to. If we are FORCED to pay out sick leave for our employees immediately, we have ZERO chance of creating their jobs again. This is the exact OPPOSITE of what the City Council is trying to accomplish. The CITY should pay for this sick leave, not the shuttered businesses. I ask that there be a waiver for small businesses under 100 employees and for any business deemed essential by the State of California.

Communication from Public

Name: Adam Perry Lang

Date Submitted: 03/27/2020 01:29 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Adam Perry Lang, I own APL, a restaurant in Hollywood My number one priority right now is to support and provide for my employees and feeding the public, including those who are in a compromised position and in need of assistance. I'm also being forward thinking and want to ensure that my employees will have a job to come back to once the COVID-19 crisis passes. I also want to support all the businesses we depend on, and in turn depend on us, we are a tight web. I'm currently working very hard with skeleton crew of 5 people to provide for the community. I currently have no way to pay past their reduced salaries and our cost of goods...all other costs have been put on hold just to keep the business operational and provide for the community. I ask that you strongly oppose Item 20-0147-S39. This will bankrupt me and every other restaurant, bar and retail store in Los Angeles. As a small business, few of us can afford to pay 2 weeks severance for every employee, we were shut down by the City and don't have those types of reserves. We also ask that you please oppose Motions 20-0147-S15 and 20-0147-S42. Both motions will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses...independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. Please understand this will affect both restaurant employees and small business owners. Again, My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes.

Communication from Public

Name: Chad Kilpatrick

Date Submitted: 03/27/2020 01:29 PM

Council File No: 20-0147-S39

Comments for Public Posting: To Councilmembers Kerkorian, Wesson & Bonin, My name is Chad Kilpatrick and I am the Chief Financial Officer of SusieCakes, a Classic American Bakery founded in Brentwood in 2007 by Susan Sarich. On behalf of our entire company, we urge you to consider the needs of restaurants and the hospitality industry. Many of us are small businesses who will be irrevocably harmed during this unstable time. As a native LA institution, we want nothing more than a speedy recovery for our community. In the past few days, every restaurant and bar in the City has been forced to close or pivot to accommodate delivery-only and takeout. For many restaurants, it is unfeasible to make this adjustment. While we understand that this is for the good of our community, it has had a detrimental effect on our business and our employees. Our employees are family to us. Many of them have been with us since our first bakery opened in Brentwood. We pride ourselves on the connection we build with our employees and guests through celebration. Since the mandated shut-down, we have done everything possible to take care of our employees for as long as this may last and work to make sure they have a job to come back to when we are able to re-open. However, I worry that some of the proposed ordinances will end up hurting our employees more than they would help them. In short, the ordinances you are considering for approval on Friday will most likely bankrupt our company. We take great pride in the contributions we've made over the years to the local community. We have donated MILLIONS to local food banks & non-profits since 2007. We ask that you STRONGLY OPPOSE Item 20-0147-S39. Our sole focus at this time is preserving the solvency of the company so that we can find a way to return all of our dedicated team members to work as soon as possible. However, Item 20-0147-S39 is likely to make that impossible. The cost of 2 week severance to every single employee because we were shut down by the City of Los Angeles would immediately call into question our ability to continue to operate as a going concern. This is one of the most destructive pieces of legislation I have ever seen; one that seemingly disregards the fact that many LA companies in the hospitality sector have suffered debilitating losses over the last 14 days in an effort to stay open. We also ask that you STRONGLY OPPOSE Items

20-0147-S15, 20-0147-S35, 20-0147-S42. The provisions in these proposals will prevent employers in the city of LA, particularly those in the Hospitality sector, from re-hiring employees in the most efficient and rapid manner possible. It is the entire communities best interest to reduce all hiring barriers to an absolute minimum in this time of crisis so that our recovery can be as swift and steep as possible. The added friction and regulation around returning team members to work translates to time and money that many hospitality business in the city do not have. Time is our enemy and due to the fact that businesses like ours are currently saddled with covering fixed costs without any revenue, our primary and only priority at this time is securing our solvency so that we may re-open and provide jobs for the citizens of LA as soon as possible. We strongly believe our opposition to the above items is based on concerns shared by the common interest of LA residents and employers. Lastly, as we articulated above, the items under consideration above have enormous financial consequences for hospitality businesses and employers in the city of Los Angeles. These consequences are of a magnitude that if realized would result in the insolvency of many companies the long term destruction of jobs in our community. It is inconceivable that a proposal of this economic magnitude would reach a vote by the council absent any financial impact estimate as noted the council's agenda. Setting aside our concerns that pertain to the merits of the proposals, this is a breach of the council's fiduciary duty to its constituents. We implore you to reflect on what your fiduciary responsibility entails and the unquestionable need to consider the facts and consequences of your actions; the very reason for a financial impact statement. At this week's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. Our number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Thank you, Chad Kilpatrick CFO SusieCakes

Communication from Public

Name: Gina Palencar

Date Submitted: 03/27/2020 01:24 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Gina Palencar and I strongly support the entire Healthy LA platform. All people currently working must be able to stay at home when they are sick. Los Angeles workers need 80 additional hours of emergency paid sick leave. To stop the spread of Covid-19, workers must to be able to take two weeks off to quarantine -- even if they already used the 48 hours provided by LA's current paid sick leave policy. Restaurants and other businesses are lobbying hard for exemptions to LA's emergency paid sick leave ordinance for small businesses. But no matter the size, any business can spread the novel Coronavirus. 79% of restaurants in LA county have less than 25 employees. These restaurants account for 39% of total restaurant employment. Carve-outs and exemptions will exempt nearly 40% of restaurant workers from paid sick leave, which will mean the virus will continue to spread. I urge you to pass the emergency paid sick leave ordinance with no carve-outs or exemptions. Thank you.

Communication from Public

Name: tawnie blade

Date Submitted: 03/27/2020 01:21 PM

Council File No: 20-0147-S39

Comments for Public Posting: Dear LA City Council members, I am a Los Angeles McDonald's Owner. I own 2 restaurants. I have owned these restaurants for over 20 years. I support my local schools, churches, first responders and general community on an ongoing basis. I writing to express my concern regarding LA City Council Ordinance 20-0147-S39 - agenda item 4 being proposed today - this will hurt the LA CITY business community! The proposed ordinance mandates that employers provide 80 hours of paid sick leave without any subsidy or assistance . As you know, this is already an incredibly difficult time for small and medium-sized businesses that are desperately trying to keep their doors open. Our LA CITY businesses are cash strapped and struggling to survive during this stressful period, adding regulations that will take businesses into deeper economic despair is of great concern. It appears that the federal stimulus package will bring relief to our workers, small businesses and largest employers. I encourage you to oppose these ordinances and support the LA City business community, respectfully, Tawnie Blade, McDonald's Licensee City of Los Angeles

Communication from Public

Name:

Date Submitted: 03/27/2020 01:20 PM

Council File No: 20-0147-S39

Comments for Public Posting: I am also part of the hospitality industry. Our company has been in business for 36 years and we employ 1500 people in California. We have always focused on our workers, most of whom are trade technicians. We encourage female leadership and management. Our business has done everything it can to contribute to the California economy. We have never had to close our doors. We have encouraged our employees to pursue government aid, and are pursuing SBA loans to make the next rounds of payroll and pay our rents so that we can STAY IN BUSINESS AND HAVE JOBS FOR THEM TO COME BACK TO. Paying the two weeks of sick leave in all of LA County, where we have several locations with hundreds of employees will surely put a strain on us so great we may have to close permanently. What then?

Communication from Public

Name: Haley Potiker

Date Submitted: 03/27/2020 01:16 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Haley Potiker and I strongly support the entire Healthy LA platform. All people currently working must be able to stay at home when they are sick. Los Angeles workers need 80 additional hours of emergency paid sick leave. To stop the spread of Covid-19, workers need to be able to take two weeks off to quarantine -- even if they already used the 48 hours provided by LA's current paid sick leave policy. Restaurants and other businesses are lobbying hard for exemptions to LA's emergency paid sick leave ordinance for small businesses. But no matter the size, any business can spread the novel Coronavirus. 79% of restaurants in LA county have less than 25 employees. These restaurants account for 39% of total restaurant employment. Carve-outs and exemptions will exempt nearly 40% of restaurant workers from paid sick leave, which will mean the virus will continue to spread. I urge you to pass the emergency paid sick leave ordinance with no carve-outs or exemptions. Thank you.

Communication from Public

Name: Holly Fox

Date Submitted: 03/27/2020 01:17 PM

Council File No: 20-0147-S39

Comments for Public Posting: I own and operate two restaurants in East Hollywood and Silverlake and a hospitality consulting business in Los Angeles that have all come to a complete halt. In regard to Item 4, we are fighting hard to keep as many of our employees on our payroll and keep our businesses alive. If we are required to pay 2 weeks sick leave to all our employees without any financial assistance from the government, we will go bankrupt and will not have any businesses left to hire back our people when we are on the other side of this pandemic. We are fundraising for our employees and looking into loans to keep them on payroll, but this type of measure and its timeline would leave us even more devastated if not completely without resources to continue operation. Please do not pass this item, it will only cause more economic stagnation and problems and will not help any of our hardworking people in the long run. A measure like this that puts the burden on the employer needs thoughtful economic support for very small businesses like ours. As for Item 2, the core issue is that we don't know what the economy will look like when we are able to reopen our business. Making a hasty decision now that forces our hand on how and who we rehire has the potential to put small businesses like mine in a place where we can't react and adapt. As a very small restaurant operator, the margins are slim and every hundred dollars truly makes a difference. As we search for loans and other financing, we are already in a place where we now need to plan for expenses in an unknown economic state. This will further affect our ability to be flexible and get back up and running successfully.

Communication from Public

Name:

Date Submitted: 03/27/2020 01:17 PM

Council File No: 20-0147-S39

Comments for Public Posting: I am also part of the hospitality industry. Our company has been in business for 36 years and we employ 1500 people in California. We have always focused on our workers, most of whom are trade technicians. We encourage female leadership and management. Our business has done everything it can to contribute to the California economy. We have never had to close our doors. We have encouraged our employees to pursue government aid, and are pursuing SBA loans to make the next rounds of payroll and pay our rents so that we can STAY IN BUSINESS AND HAVE JOBS FOR THEM TO COME BACK TO. Paying the two weeks of sick leave in all of LA County, where we have several locations with hundreds of employees will surely put a strain on us so great we may have to close permanently. What then?

Communication from Public

Name: Kris Yenbamroong

Date Submitted: 03/27/2020 10:56 AM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Kris Yenbamroong and I own and operate NIGHT MARKET restaurants, a small family-owned group of Thai restaurants with locations in Silverlake, Venice and West Hollywood. We ask that you strongly oppose Item 20-0147-S39. This will bankrupt me and every other restaurant, bar and retail store in Los Angeles. None of us can afford to pay 2 weeks severance for every employee because we were shut down by the City. We also ask that you please oppose Motions 20-0147-S15 and 20-0147-S42. Both motions will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. At today's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Please also know that I am voicing this opinion as one of the luckier small businesses in town. While we struggled for years (we opened the first location 10 years ago this November), we have in recent memory enjoyed a certain level of success. Enough for us to employ a lot of people, and to get a bit of recognition for the product and service we offer. This ordinance would devastate our business. I don't know that we would be able to come back from it. And like I said, we are one of the lucky ones. For some of our colleagues, this would undoubtedly be the final nail in the coffin. I understand the intention of the ordinance. It is a good one. But small business owners are not the same as big wealthy corporations. We need help as well. We provide a lot of jobs and also provide cultural value. All the stuff you read in papers and magazines about how cool LA is--that's in large part because of small businesses like ours. That would be wiped out if this ordinance took effect. Please let that sink in. We would no longer be able to provide the jobs, nor would we be able to provide people with reasons to come visit LA.

Communication from Public

Name: Tricia La Belle Bergounoux

Date Submitted: 03/27/2020 11:05 AM

Council File No: 20-0147-S39

Comments for Public Posting: Dear Mayor and Council Persons, I ask each of you to vote against Item # 20 0147 S39, 20-20147-S14 and 20--147-S42, formerly items 72J and 72KK. These motions come at a time when the restaurant/bar industry is already at the bottom and at a total loss. The motions are a very clear indication that none of you fully, or at all, understand our industry. Placing further restrictions, compliance, costs on SMALL business owners is just slitting their throats. Some of these motions are redundant in compliance with other departments, but most concerning is the incredible hardship some of these motions will bring upon small businesses that simply do not have that kind of revenue, in particular now. These items include a requirement that for any business forced to shut down because of a public official's closure recommendation, they must pay every employee two weeks sick pay. OUT INDUSTRY CANNOT AFFORD THIS MANDATORY REQUIREMENT AND THIS SINGLE MOTION IF APPROVED WILL PUT YOUR SMALL BUSINESSES AT 100% RISK OF NEVER OPENING AGAIN. Further increasing unemployment rates, massive destruction of the California economy that is already compromised. The businesses have to come first, FOR ONCE, so that all employees CAN indeed be intact, as without the business made whole again, there is no way for them to recover, therefor no jobs. California's employment in hospitality is one of the leading employment and businesses in our state - this item being presented tomorrow will destroy jobs and businesses permanently. Adding more mandatory labor costs and compliance to a small business operator right now is just detrimental to our city's economy and employment stats. Additionally, why create another layer on a Health Department Requirement already in place for hand-washing. Handsinks are mandatory in the build-outs of restaurants/bar within the work area vicinity, so that taking a 'break' to wash hands is totally unnecessary. Our industry staff washes their hands far more often than every four hours by rule and practice, this is just nonsense honestly. As well, you are opening doors for even more trial lawyer field days in a state that does nothing to prevent and stop malicious prosecution and fraudulent lawsuits. California alone has set that deplorable standard of litigiousness, that, has become a model for other states to mimic, something we should

be ashamed of! Again, I PLEAD with you at a time that my businesses are shuttered, I am drained of all revenue in my bank accounts, with mountains for bills, rents, mortgages, including my own home at risk - VOTE NO ON #20 0147 S39. Sincerely,
Tricia La Belle Boardners of Hollywood Bon Vivant Market & Cafe Daves On Broadway President of the Greater Los Angeles Hospitality Association

Communication from Public

Name: Galo Medin

Date Submitted: 03/27/2020 11:06 AM

Council File No: 20-0147-S39

Comments for Public Posting: I ask that you consider not passing this measure. As a landlord of a building that has exclusively small business owners, I have preemptively abated two months rent for my tenants. And still they will struggle to maintain their business during this lockdown. This would be a terrible undue burden on them. They are trying all they can to maintain current staff. But with insurance, utilities, and their own bills this would be a dire burden. Please show mercy and do not impose more mandatory obligations. Please save small business as they are the backbone of our city.

Communication from Public

Name: Rana Ghadban

Date Submitted: 03/27/2020 11:06 AM

Council File No: 20-0147-S39

Comments for Public Posting: While the Chamber believes that there is an urgent need to help our employees, the proposed Article 5-72HH will cause an undue financial burden on the employers in the City of Los Angeles – leading to many businesses not able to reopen in these difficult times and therefore eliminating jobs that our employees can come back to. The Hollywood Chamber of Commerce opposed this ordinance. Enclosed is an opinion letter from our Chamber's General Counsel, Derek S. Yee; which sets forth the basis of the Chamber's opposition.

LAW OFFICES OF
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March 26, 2020

Via Email Only
(rana@hollywoodchamber.net)
Rana Ghadban
President & CEO
Hollywood Chamber of Commerce
6255 Sunset Blvd, Ste 150, Hollywood, Ca 90028

RE: *Proposed Article 5-72HH to Chapter XX of the Los Angeles Municipal Code*
Supplemental Paid Sick Leave due to COVID-19

Dear Rana:

As General Counsel to the Hollywood Chamber of Commerce, you requested that I evaluate the above referenced proposed Article which would require Employers in the City of Los Angeles to provide and pay for Supplemental Paid Sick Leave. I believe the proposed Article will cause an undue burden on Employers in the City of Los Angeles based on the following:

1. Financed Burden. The proposed Article appears to be a bridge amendment pending the Federal FFCRA paid sick leave which goes into effect on April 1, 2020. The proposed City Article would provide 2 weeks leave for employees who have been employed from February 3, 2020 through March 4, 2020. However, unlike the FFCRA, the Act does not provide for a tax credit. Therefore, Employers will be liable for the additional cost for the Supplemental Paid Sick Leave. This financial burden will be difficult for Employers who have been forced to close due to the Safer at Home declaration; or are otherwise negatively affected by COVID-19.
2. Offset is Not Sufficient. While Section 200.56 provides for an offset by other paid sick leave (presumably contemplating the FFCRA paid sick leave), this would not offset the burden to Employers. Regardless of whether Employers will be entitled to a tax credits under the FFCRA, the Employers will first need to front the money. Due to the forced closures and negative effects of COVID-19, Employers may not have sufficient business and tax credits to offset the Paid Sick Leave. Some businesses will not be able to reopen; or stay in business. The forced Supplemental Paid Sick Leave will add an additional financial burden on Employers in the City of Los Angeles since no tax offset is specified; and the FFCRA tax credit may not be realized.

3. Retroactive. Section 200.53 specifies that Employees who have been employed from February 3, 2020 through March 4, 2020 would be entitled to the Supplemental Paid Sick Leave. This retroactive entitlement would be unfair to Employers who closed and/or made layoffs prior to the enactment of the Article. Said Employers did not have the benefit of considering the effect of the Article at the time the Employer made the decision to close and/or lay off its employees. Businesses which shut down subsequent to February 3, 2020 would be unfairly burdened. It would be an unfair burden on Employers to pay the Supplemental Paid Sick Leave to employee which it laid off prior to the enactment of this Article.

4. Increased Litigation. The proposed Article will lead to increased litigation. The Article may be trap to Employers who are not informed of the new law. There are an abundance of Plaintiffs' employee claims attorneys. These attorneys will likely use the Article to send demand letters seeking damages and attorneys' fees from Employers; and filing a flood of lawsuits. As described below, the unspecified damage award plus the attorney fee award rights will be a huge incentive for the Plaintiffs' attorneys who work on contingency fee basis. Questions of fact will inevitably arise as to who is entitled to the Supplemental Paid Sick Leave; whether proper notice was given; whether there was retaliation; and damage awards. With the ambiguities inherent in new law there will be a lot of uncertainty which will lead to claims against Employers who seek to comply with the new law. The cost of defending claims will be huge. Another uncertainty will be whether Employment Practices Liability Insurance (EPLI) will cover claims arising out of the new law. This may lead to uncertainty, increased insurance costs, and additional bad faith lawsuits.

5. Administration burden. Complying with the new law would will be an administrative burden for Employers who will be required to determine who is entitled to the Supplemental Paid Sick Leave; tracking the leave; and tracking the offsets.

6. Forced Rehire. Section 200.57(A)(1)) reinstatement rights is the most extreme burden on Employers; as the requirement restricts the Employers' right to manage its business; and is a restriction of the At-Will employment law. In addition, if an Employer already fills a position, then is required to reinstate a laid off employee (either due to a demand letter or litigation) the Employer will have logistical problems of double filling a position.

7. Back Pay and Supplemental Paid Sick Leave Damages. Section 200.57(A)(2) provides for awards of *"Back pay and Supplemental Paid Sick Leave unlawfully withheld."* Such remedy will be a question of fact and likely lead to protracted litigation.

8. Attorney's Fees awards. Section 200.57(B) provides for attorney fees. As discussed above, such attorney's fees award will incentivize Plaintiffs' attorneys who work on contingency fee basis to pursue claims based on the new law.

Rana Ghadban
Hollywood Chamber of Commerce
March 26, 2020
Page **3** of **3**

I recommend that the Hollywood Chamber of Commerce oppose the Article; as it will cause extreme undue burden and expense to businesses in the City of Los Angeles. Please contact me if you wish to discuss.

Very truly yours,

A handwritten signature in black ink, appearing to read "Derek S. Yee", with a stylized, flowing script.

Derek S. Yee

Communication from Public

Name: Nick

Date Submitted: 03/27/2020 11:11 AM

Council File No: 20-0147-S39

Comments for Public Posting: ITEM 2- WORKER RETENTION – These ordinances will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants would struggle and be unable to reopen if this ordinance took effect. ITEM 4- FORCED TWO WEEK PAID “SICK LEAVE” FOR ALL EMPLOYEES - This will bankrupt most every business in Los Angeles.

Communication from Public

Name: Daniela

Date Submitted: 03/27/2020 11:23 AM

Council File No: 20-0147-S39

Comments for Public Posting: Working class employees need protection now more than ever. To expect that employees can stay home when they don't have a guaranteed source of income is a blatant disregard for the realities they face. We are in a time of unprecedented crisis. Workers need extended paid leave for covid19. We cannot prevent the continued spread of covid19 without adequate safeguards for our vulnerable residents. Think of the working class.

Communication from Public

Name: Toby Humes

Date Submitted: 03/27/2020 11:07 AM

Council File No: 20-0147-S39

Comments for Public Posting: This will absolutely decimate restaurants including ours as we haven't even opened but did training in anticipation of opening so you are telling me for 9 hours of training for 40 employees I will owe \$42,000 for a restaurant that isn't even open? We laid off employees so they could get unemployment benefits to be good people because most of these employees left there other jobs and would not have been eligible had we not done that?!? I would hope Councilmember O'Farrell would support local small businesses and timing couldn't be worse with everyone waiting on the government for SBA assistance and no real timeline as to when we will be back to business or when government loans will be executed. The stimulus program will help workers and businesses but I feel like this is just piling on already beaten-down small business owners. To be honest, why would the city want to step on my head while I'm drowning?

Communication from Public

Name: jeff ofelt

Date Submitted: 03/27/2020 11:26 AM

Council File No: 20-0147-S39

Comments for Public Posting: As a small business owner, this proposal of me providing all of my employees 2 weeks of sick pay would bankrupt me. It would cost me over \$30,000 and would wipe out our checking account. If this passes, it will put mine any many, many other businesses into financial ruin and will prevent us from re-opening when this is all over...therefore not being able to re-hire any of my staff.

Communication from Public

Name: stephen allison

Date Submitted: 03/27/2020 11:36 AM

Council File No: 20-0147-S39

Comments for Public Posting: Hi LA City, we are a small business and can't handle paying staff 80 DAYS of paid sick leave. That would be a financial disaster for our already stressed business that is live events (Street Food Cinema) and we can't currently produce events to make income at this time. Please vote no on SUPPLEMENTAL PAID SICK LEAVE

Communication from Public

Name: Vinny Dotolo

Date Submitted: 03/27/2020 11:37 AM

Council File No: 20-0147-S39

Comments for Public Posting: Councilmember Bonin, My name is Vinny Dotolo and I am a partner/chef and owner of Joint Venture Restaurant Group which includes consists of animal, Son of a Gun, Jon & Vinny's Fairfax, Jon & Vinny's Brentwood, Helen's Fairfax, Helen's Brentwood, Trois Mec, Petit Trois Highland, Petit Trois le Valley, Kismet and Kismet Rotisserie, all of these restaurants within your Council District. We ask that you strongly oppose Item 2. This will bankrupt me and every other restaurant, bar and retail store in Los Angeles. None of us can afford to pay 2 weeks severance for every employee because we were shut down by the City. We also ask that you please oppose Item 4. This will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. At today's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Thank you, Vinny

Communication from Public

Name:

Date Submitted: 03/27/2020 11:37 AM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Sara Kramer and I own and operate Kismet, Kismet Rotisserie and Kismet Falafel. On behalf of myself and my employees, we urge you to consider the needs of restaurants and the hospitality industry. Many of us are small businesses who will be irrevocably harmed during this unstable time. In the past few days, every restaurant and bar in the City has been forced to close or pivot to accommodate delivery-only and takeout. For many restaurants, it is unfeasible to make this adjustment. While we understand that this is for the good of our community, it has had a detrimental effect on our business and our employees. Our employees are family to us. Since the mandated shut-down, we have done everything possible to take care of them for as long as this may last and work to make sure they have a job to come back to when we are able to re-open. However, I worry that some of the proposed ordinances will end up hurting our employees more than they would help them. We ask that you **STRONGLY OPPOSE** Item 4. This will bankrupt my and every other restaurant, bar and retail store in Los Angeles. We will never be able to reopen if we are forced to pay a 2 week severance to every single employee because we were shut down by the City of Los Angeles! This is one of the most destructive pieces of legislation I have ever seen. We ask that you please oppose Item 2. This will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. At this week's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Thank you, Sara Kramer

Communication from Public

Name: Gilberto Cetina of Chichen Itza & Holbox

Date Submitted: 03/27/2020 11:38 AM

Council File No: 20-0147-S39

Comments for Public Posting: I know this measure is being proposed in a good faith attempt to help Los Angeles workers, but it's putting an impossible hurdle for small restaurants. WE ARE A CASH FLOW DRIVEN BUSINESS. We require todays revenue to pay last weeks payroll and bills. Without revenue coming in we will not be able to pay an additional 2 weeks of payroll, it will deplete our bank accounts and not allow us to come back when this ban is lifted. I think I speak for the greater Los Angeles restaurant community that we want to protect our staff, our teams are our most important asset, we want what's best for them but can't help them in the most meaningful way possible, which is a permanent and steady job, when this is behind us If we are bankrupt. Please don't put more financial burden on small restaurants, we won't be able to handle it right now and won't be able to bounce back from this.

Communication from Public

Name: Mariana Huerta

Date Submitted: 03/27/2020 11:46 AM

Council File No: 20-0147-S39

Comments for Public Posting: I strongly support the motion to provide 10 paid sick days so that workers are able to stay home if they are ill, or need to take care of a family member. This will keep more people healthy in the long term.

Communication from Public

Name: Jennifer Lieberman

Date Submitted: 03/27/2020 11:41 AM

Council File No: 20-0147-S39

Comments for Public Posting: We are a small business restaurant and depend on our daily sales in order to pay our rent, bills, permits, taxes, city assessments, payroll etc. Everything came to a halt and we have had to continue paying some bills and paycheck along with payroll taxes right before this happened. I have had no pay since I only collect with sales coming in. I have a son and I have to decide daily to pay a bill or buy food. Being forced to pay a sick leave to employees when all are collecting the disaster relief workers comp would be disastrous for our business. It is already a delicate situation due to the extended period we are forced to be closed due to COVID-19. I believe they would want to return to their jobs when all this is over with, if we are forced to pay anything additional with zero coming in that may not be a reality. Please consider business owners position as well. Every restaurant is different and a general blanket enforcement does not work or help all.

Communication from Public

Name: AN

Date Submitted: 03/27/2020 11:50 AM

Council File No: 20-0147-S39

Comments for Public Posting: I strongly object to this as it will force my business to close. This is a very biased law.

Communication from Public

Name: Farah Casis

Date Submitted: 03/27/2020 11:58 AM

Council File No: 20-0147-S39

Comments for Public Posting: I'm writing to you today with a tremendous amount of angst, because like many of my fellow event planners and bar employees who are temporary laid-off, we all hope we'll be able to have our jobs back when this all blows over. I'm reaching out to you as an employee, a business manager and a fellow City of LA resident, who wants nothing more than to return to a job I love, for a company that has treated me like family for over 10 years. I know first hand how hard the owners are trying to keep the lights on because after 30 years in business, they are not willing to be defeated by COVID-19. I empathize with each of you during this trying time. I know you mean well and want the best for your residents. I'm so thankful that I'll be temporarily receiving unemployment and some relief from the federal government to tide me over. That said, the sad truth is, our jobs won't be available when this all ends, if some of the ordinances you're voting on today, specifically this one, go through. I ask that you strongly oppose Item 20-0147-S39. This will bankrupt our bars and every other restaurant, bar and retail store in Los Angeles. None of our businesses can afford to pay 2 weeks severance for every employee because we were shut down by the City! Even if I myself would be a beneficiary of this severance, I would way rather have a job to go back to when this ends.

Communication from Public

Name: Kelly Bergougnoux

Date Submitted: 03/27/2020 12:04 PM

Council File No: 20-0147-S39

Comments for Public Posting: Dear Council Persons I am here today as a business owner, landlord and President of the Greater Los Angeles Hospitality Association. I ask each of you to vote NO on Items # 2 & 4. These motions come at a time when the restaurant/bar industry is already down and at a total loss. The motions are a very clear indication of how many do not at all, understand our restaurant, bar industry. Placing further restrictions, compliance, costs on SMALL business owners is just slitting their throats. Some of these motions are redundant in compliance with other departments, but most concerning is the incredible hardship some of these motions will bring upon small businesses that simply do not have that kind of revenue, let alone capital. These items include a requirement that small business must pay every employee two weeks sick pay. OUR INDUSTRY CANNOT AFFORD THIS MANDATORY REQUIREMENT AND THIS SINGLE MOTION IF APPROVED WILL PUT YOUR SMALL BUSINESSES AT 100% RISK OF NEVER OPENING AGAIN. Further increasing unemployment rates, massive destruction of the California economy that is already compromised. It's time for businesses to come first, in this state, so that there are indeed jobs it's people. California's hospitality industry, considered 'non essential' is one of the leading commerce and employment in our state. Items #2 & 4 could single-handedly destroy one of the greatest business revenues and employment permanently. These items today, as well, will open the doors for even more trial lawyer field days in a state that willfully promotes litigious action and does nothing to prevent and stop malicious prosecution and fraudulent lawsuits. Again, I PLEAD with you at a time that my businesses are shuttered, my tenant is suffering, I am drained of all revenue in my bank accounts, with mountains for bills, rents, mortgages, including my own home at risk - VOTE NO ON Items #2 & 4 Public Comment I am both a business owner leasehold tenant and a landlord, we are all effected by this pandemic on every side of the spectrum. Our Governments and Banks are not doing enough to mitigate the mass economic issues to come, however, they are simply pushing furloughing or deferring payments 6months to a year and then demanding the payments in full only pushes the problem we are all in now, a year down the road. WE ALL NEED TO MOVE FORWARD TOGETHER as if

6months disappeared for everyone from the renter to the banker.
NO One should come out ahead no one should get their money of
another in this horrific time for our entire world! Thank you ~
Kelly Bergounoux

Communication from Public

Name: Todd Tisdell

Date Submitted: 03/27/2020 12:32 PM

Council File No: 20-0147-S39

Comments for Public Posting: Please Vote no on this ordinance. This is too much of a burden on City Restaurants and Bars that are already entrenched in a war for survival during this COVID 19 shutdown. Income to these businesses has been drastically reduced or completely eliminated. a mandatory payment to employees for sick leave/severance is an insurmountable bill. The federal Government has just passed the Financial assistance bill that allows employees to file for unemployment with an increased payout of \$600 per week. This will cover any shortfall in income from the employee level. Specifically, my business will have a very hard time recovering from this shutdown. Adding this requirement will likely force us into bankruptcy from which we not recover. Please vote No on this ordinance.

Communication from Public

Name: Lauren Ahkiam

Date Submitted: 03/27/2020 12:32 PM

Council File No: 20-0147-S39

Comments for Public Posting: Thank you council for your leadership - PLEASE PASS the paid sick leave policy. It's crucial for the health of our City that workers don't have to choose between paying the bills and working while sick, especially in this pandemic crisis. Workers need 80 hours of paid sick leave. There should be NO carve out for restaurant and food service employers: their employees must be able to stay home when they're sick to reduce the spread of COVID-19. When at least 79% of restaurants in LA county have less than 25 employees, and these restaurants account for 39% of total restaurant employment, it's imperative that these workers be able to take paid sick leave.

Communication from Public

Name: Carol Braid

Date Submitted: 03/27/2020 12:12 PM

Council File No: 20-0147-S39

Comments for Public Posting: It has come to our attention that this morning you will be voting on legislation that will have a profound negative effect on our businesses that have been forced to close due to COVID-19. As Treasurer of the TCL Chinese Theatre, I respectfully request that you oppose Item 20-0147-S39 and motions 20-0147-S15 and 20-0147-S42. It was not by our choice that we closed our theatres, but rather by the direct order of the City of Los Angeles for the sake of public health. With the closure of the theatre, we cannot sustain income for our employees and maintain rent and utilities. This has gravely affected us and has put us in a severe financial situation. We realize that this is an unprecedented situation and that we are all in this together. But to place this burden on business owners when we were mandated to close by order of the governor is simply an injustice that I hope you agree should not pass. The Chinese Theatre is at the heart of Hollywood and we want to keep providing the absolute best for tourists, studios, and our fellow Angelinos in the months and years to come, post COVID-19. Thank you for your understanding and support.

Communication from Public

Name: Emily Fiffer

Date Submitted: 03/27/2020 12:13 PM

Council File No: 20-0147-S39

Comments for Public Posting: I own Botanica Restaurant at 1620 Silver Lake Blvd. in Los Angeles. I ask that you STRONGLY OPPOSE Item 20-0147-S39. This will bankrupt my and every other restaurant, bar and retail store in Los Angeles. We will never be able to reopen if we are forced to pay a 2-week severance to every single employee because we were shut down by the City of Los Angeles! This is one of the most destructive pieces of legislation I have ever seen. We need SUPPORT from the city in order to stay afloat; this bill would do the opposite: put us all out of business, put thousands of hospitality workers out of work, and generally screw the local economy and hospitality landscape. It would be impossible to bounce back from this.

Communication from Public

Name: Daina Mattis

Date Submitted: 03/27/2020 12:14 PM

Council File No: 20-0147-S39

Comments for Public Posting: I strongly oppose Item 20-0147-S39. This will bankrupt me and every other restaurant, bar and retail store in Los Angeles. None of us can afford to pay 2 weeks severance for every employee because we were shut down by the City. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes.

Communication from Public

Name: Aidas J Mattis, MD PhD

Date Submitted: 03/27/2020 12:16 PM

Council File No: 20-0147-S39

Comments for Public Posting: Dear City Councilmembers, My name is Aidas J. Mattis and I am one of the owners of the Red Lion Tavern in Silverlake, a restaurant in your Council District that has been there since 1959. On behalf of myself, my employees, and clients, we urge you to consider the needs of restaurants and the hospitality industry. Many of us are small businesses who will be irrevocably harmed during this unstable time. As it is, we have had to borrow hundreds of thousands of dollars over the last few years to survive the recent minimum wage increases to survive. This COVID-19 will be hard enough to weather without additional wage requirements laid against us. In the past few days, every restaurant and bar in the City has been forced to close or pivot to accommodate delivery-only and takeout. For many restaurants, it is unfeasible to make this adjustment. While I, especially as a physician, understand that this is for the good of our community, it has had a detrimental effect on our business and our employees. Our employees are family to us. Since the mandated shut-down, we have done everything possible to take care of them for as long as this may last and work to make sure they have a job to come back to when we are able to re-open. I have even personally lent money to employees that could not cover what they needed. However, I worry that some of the proposed ordinances will end up hurting our employees more than they would help them. I can also tell you that banks have locked up cash. We have requested lines of credits and banks are turning us away. So consider going after them, those who will be bailed out, before going after us. We ask that you **STRONGLY OPPOSE** Item 20-0147-S39. This will likely bankrupt my and every other restaurant, bar and retail store in Los Angeles. We may never be able to reopen if we are forced to pay a 2 week severance to every single employee because we were shut down by the City of Los Angeles! This is one of the most destructive pieces of legislation I have ever seen. It is not clear to me where this idea originated as the problem here lays with the Federal Government, not with the local business in mismanagement of the situation. We ask that you please oppose Motions 20-0147-S15 and 20-0147-S42. Both motions will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to

reopen if this ordinance took effect. I think realistically these ordinances will do more to stigmatize and further alienate the business side of these companies from the well being of our associates than they do them good in the long run. Further, it will further discourage business from coming to Los Angeles. At this week's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees, but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. I hope to continue the Red Lion Tavern as I love this restaurant/bar quite a bit. I grew up in Rampart. This is my town too. Don't harm businesses further as we are suffering now too. Thank you and Respectfully, Aidas J. Mattis MD, PhD

Communication from Public

Name: Heather Sperling

Date Submitted: 03/27/2020 12:08 PM

Council File No: 20-0147-S39

Comments for Public Posting: 20-0147-S15, 20-0147-S35, 20-0147-S42 and 20-0147-S39 will cripple the small businesses that most need support at this time. I want to be clear that, as the owner of a local restaurant that employees a diverse, beloved staff of 48 people, The proposed ordinances will definitively end up hurting our employees more than they would help them, because of the damage they would wreak on the healthy operation of our business. Items 20-0147-S15, 20-0147-S35, 20-0147-S42, regarding worker retention: These motions will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, these rules ARE NOT PRODUCTIVE OR RELEVANT to independent restaurants like mine. We would struggle and be unable to reopen or operate healthily if this ordinance took effect. Small business operators like me and my peers MUST be allowed to operate using their best judgement. Policies like these are destructive to existing businesses and act as deterrents to future small businesses opening in our area. 20-0147-S39--Regarding the two weeks of sick pay: Businesses will never be able to reopen if we are forced to pay a 2 week severance to every single employee because we were shut down by the City of Los Angeles! No small business has the liquidity to pay this type of compensation when there is no cash flow coming in, and nearly all restaurants are already shouldering massive debt from the start-up costs of their operations. This employee payout would force us to take on debt from which we would never recover. We would likely be forced to close--and then our 48 beloved staff members would be permanently out of work.

Communication from Public

Name: CAITLIN SULLIVAN

Date Submitted: 03/27/2020 12:11 PM

Council File No: 20-0147-S39

Comments for Public Posting: Dear Council Members, My name is Caitlin Sullivan and I co-own Honey Hi a restaurant in Echo Park. We ask that you strongly oppose Item 20-0147-S39. This could bankrupt me and every other restaurant, bar and retail store in Los Angeles. There will be nothing for the city of Los Angeles to come back to. None of us can afford to pay 2 weeks sick pay for every employee because we were shut down by the City. I understand the thinking on this idea for this larger businesses but how do you expect small businesses with under 50 employees deal with this? We are not major corporations with tons of money in our coffers, we are small business owners and community members like you. We do not have the revenue coming in to pay for this. We also ask that you please oppose Motions 20-0147-S15 and 20-0147-S42. Both motions will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. Please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Thank you, Caitlin Sullivan

Communication from Public

Name: Jessica Ceballos y Campbell

Date Submitted: 03/26/2020 11:19 PM

Council File No: 20-0147-S39

Comments for Public Posting: Hello, my name is Jessica Ceballos y Campbell and I am a mother, a tenant, an artist and arts administrator, and community organizer from and currently residing in Highland Park. I am writing to ask my city council to enact stronger protections for our community in response to COVID-19. Our families and vulnerable community members need immediate action to protect our health and our livelihoods. I urge my Councilmember Gil Cedillo and my entire LA City Council board to support motions to:

1. Enact a Strong Moratorium on Evictions related to both nonpayment of rent and the presence of unauthorized occupants and pets, as well as all “no cause” evictions. People should not have to go to court to prove the impact of coronavirus on them to counter an eviction filing. Nobody should be evicted during an emergency that requires people to shelter in place.
2. Have the City should work with the State and financial institutions to continue suspending mortgage payments for homeowners and landlords, and forgive rent obligations for the duration of the crisis, including a recovery period after the state of emergency is lifted.
3. Implement an immediate freeze on all residential and commercial rent increases and prohibit landlords from charging late fees.
4. Immediately supply dumpsters, showers, hand washing stations, bathrooms, vermin abatement, soap, and water to every informal settlement in Los Angeles.
5. Protect workers’ livelihoods by enacting “just cause,” “right of recall,” and “worker retention” policies to stop unscrupulous employers from unjustly terminating workers during this crisis, and to ensure that when it is safe to return to work, they still have jobs to return to.
6. Prioritize workplace health and safety, including mandated paid time for and access to hand-washing and sanitizing, provision of protective gear, and appropriate training for those still at work, especially grocery workers, food service workers, and delivery drivers.
7. Provide 14 days of paid sick leave to all workers and prohibit retaliation against those who take it. Workers must feel safe to stay home through their illness for the public’s safety.

Thank you in advance, as I trust that you will consider the best and safest interest of your constituents. Jessica Ceballos y Campbell

Communication from Public

Name:

Date Submitted: 03/26/2020 09:58 PM

Council File No: 20-0147-S39

Comments for Public Posting: Please ensure employees are given at minimum 80 hours of sick leave time. This file number is important to supporting our community.

Communication from Public

Name: Martin Breidsprecher

Date Submitted: 03/27/2020 08:55 AM

Council File No: 20-0147-S39

Comments for Public Posting: I am writing you this morning to urge you to vote NO on all three ordinances being discussed in today's emergency meeting. All three of these ordinances impose unrecoverable costs and hardships to the Los Angeles business community that will have long term implications not only for our businesses but also for the Los Angeles region.

Communication from Public

Name: Kimberly Guidizi

Date Submitted: 03/27/2020 08:57 AM

Council File No: 20-0147-S39

Comments for Public Posting: Strongly oppose this proposal it is detrimental to small business.
We won't recover if required to conform.

Communication from Public

Name:

Date Submitted: 03/27/2020 08:42 AM

Council File No: 20-0147-S39

Comments for Public Posting: Please do not pass the proposed 80-hour paid sick leave expansion. We have been lucky enough to maintain our staff; however, we will be unable to do so with this added burden. I fully support efforts to curtail the coronavirus pandemic, but this action goes too far and will be devastating for my business. Although I have just under 100 employees, the franchise structure I operate within has low profit margins and we are already struggling to meet our fixed costs. This measure would be fatal to businesses like my own with low cash flow. This is too dramatic of an action for many Los Angeles businesses to survive and although it may serve as a bandaid to the current problem, it will cause more long term harm than good for businesses and employees. The city acknowledges this by simultaneously proposing 20-0147-S35 -- which concedes the high likelihood that businesses will fail and would require successor businesses to rehire employees who will inevitably lose their jobs should this and the other emergency ordinances pass. We are hopeful that the federal relief will ease the pressure on our employees, but for a business with low cash flow, even fronting these costs will be extraordinarily difficult. Please consider an option that applies to businesses with more than 500 employees, since those businesses have already been excluded from federal programs, impact the greatest number of workers, and have the cash flow to survive this type of financial pressure.

Communication from Public

Name: Jane Zighelboim Awni

Date Submitted: 03/27/2020 08:34 AM

Council File No: 20-0147-S39

Comments for Public Posting: Today small business owners, like myself are concerned if we will still have a business in the next 30days and you are trying to pass laws that create a tremendous burden us.
Ordinances 20-0147-S15,20-0147-S35, 20-0147-S42 and 20-0147-S39 will pose far greater damage then benefit to the community at large, given that small businesses like mine are vital to restoring our local economy. If passed they will decimate small businesses including mine, that employees 32 Californians including my husband and myself. More sick leave sounds great, although who will pay for it?Businesses are trying to stay alive and do not need any additional expenses that would be detrimental.We oppose these measures and we ask at a minimum you put a moratorium on this for the next 90 days until we can see how things are due to Covid-19. More of the business community needs to be part of the decision making process. Please vote no on the two aforementioned proposed ordinances and give small businesses a well deserved chance.If you vote in favor of these proposed ordinances, know that many of us will never be able to open again.

Communication from Public

Name: Lisa Wilkin

Date Submitted: 03/27/2020 09:47 AM

Council File No: 20-0147-S39

Comments for Public Posting: Dear Members of the City Council- I am writing to express my opposition to the COVID-19 Supplemental Paid Sick Leave Ordinance as written. We are a nonprofit organization that operates eight child care centers in the city, providing essential child care services to essential workers, per the Governor's Stay Home Executive Order. We operate the employee child care programs for the LAC+USC Medical Center, the Olive View-UCLA Medical Center and CalTrans District 7. The parents at these Centers need reliable child care services so they can continue to provide essential medical and public services to the residents of Los Angeles. The additional paid leave requirements, on top of the newly enacted Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act, without documentation of need would severely impede our ability to keep medical personnel and public employees on the job during this period of crisis. Without the requirement of documentation of need, I predict that nearly 100% of my classroom personnel would be absent for the entire 80 hours, leaving me with no teachers to care for the children. This would likely occur during the predicted surge in infections and the peak need for essential workers. Child care centers must hire individuals with specific qualifications to meet the standards outlined in California Health and Safety Code and California Education Code. We cannot easily find qualified replacement workers. I urge you to oppose this ordinance or consider an exemption for those employers who are providing essential services to the community. Thank you for your consideration, Lisa Wilkin, M.Ed. Executive Director



March 26, 2020

Dear Members of the City Council-

I am writing to express my opposition to the COVID-19 Supplemental Paid Sick Leave Ordinance as written. We are a nonprofit organization that operates eight child care centers in the city, providing essential child care services to essential workers, per the Governor's Stay Home Executive Order. We operate the employee child care programs for the LAC+USC Medical Center, the Olive View-UCLA Medical Center and CalTrans District 7. The parents at these Centers need reliable child care services so they can continue to provide essential medical and public services to the residents of Los Angeles.

The additional paid leave requirements, on top of the newly enacted Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act, *without documentation of need* would severely impede our ability to keep medical personnel and public employees on the job during this period of crisis.

Without the requirement of documentation of need, I predict that nearly 100% of my classroom personnel would be absent for the entire 80 hours, leaving me with no teachers to care for the children. This would likely occur during the predicted surge in infections and the peak need for essential workers. Child care centers must hire individuals with specific qualifications to meet the standards outlined in California Health and Safety Code and California Education Code. We cannot easily find qualified replacement workers.

I urge you to oppose this ordinance or consider an exemption for those employers who are providing essential services to the community.

Thank you for your consideration,

Lisa Wilkin, M.Ed.
Executive Director

Communication from Public

Name: robert nydam

Date Submitted: 03/27/2020 10:50 AM

Council File No: 20-0147-S39

Comments for Public Posting: To the honorable City council members, I appreciate you taking my public comment on the motion to pass an ordinance for paid sick leave for workers in LA County and City. I oppose those motion for the following reasons: 1- This duplicates the federal governments action already to provide 2 weeks of paid sick leave to workers effected by COVID-19. The difference is the feds will pay for it through a reduction in Payroll tax. 2- This motion is an unfunded mandate. Businesses, specifically restaurants and bars, are already suffering from the pause in the economy and have either drastically reduced their business and their working capital or shut down completely. You must consider the continuum of work. It is pivotal in these unprecedented times that we support workers but we we must also consider that they need a job to return to. You are literally putting the final nail in the coffin with this ordinance for many businesses. You may help a worker for 2 weeks but they will be unemployed when this crisis is over because you have effectively shutdown many businesses that supply their jobs. 3- I petition you to vote NO on this motion. Pause and consider an action that provides for the worker and supports the business so they have a job to come back to. Look at best practices in other major cities. You are going to kill businesses and only help workers for 2 weeks while duplicating legislation on paid sick leave form the federal government. This motion is horribly short sighted.

Communication from Public

Name: Rana Ghadban

Date Submitted: 03/27/2020 10:51 AM

Council File No: 20-0147-S39

Comments for Public Posting: While the Chamber believes that there is an urgent need to help our employees, the proposed Article 5-72HH will cause an undue financial burden on the employers in the City of Los Angeles – leading to many businesses not able to reopen in these difficult times and therefore eliminating jobs that our employees can come back to. The Hollywood Chamber of Commerce opposed this ordinance. Enclosed is an opinion letter from our Chamber's General Counsel, Derek S. Yee; which sets forth the basis of the Chamber's opposition.

LAW OFFICES OF
DEREK S. YEE
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LOS ANGELES, CALIFORNIA 90028
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derekyee@dsylaw.com
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March 26, 2020

Via Email Only
(rana@hollywoodchamber.net)
Rana Ghadban
President & CEO
Hollywood Chamber of Commerce
6255 Sunset Blvd, Ste 150, Hollywood, Ca 90028

RE: *Proposed Article 5-72HH to Chapter XX of the Los Angeles Municipal Code*
Supplemental Paid Sick Leave due to COVID-19

Dear Rana:

As General Counsel to the Hollywood Chamber of Commerce, you requested that I evaluate the above referenced proposed Article which would require Employers in the City of Los Angeles to provide and pay for Supplemental Paid Sick Leave. I believe the proposed Article will cause an undue burden on Employers in the City of Los Angeles based on the following:

1. Financed Burden. The proposed Article appears to be a bridge amendment pending the Federal FFCRA paid sick leave which goes into effect on April 1, 2020. The proposed City Article would provide 2 weeks leave for employees who have been employed from February 3, 2020 through March 4, 2020. However, unlike the FFCRA, the Act does not provide for a tax credit. Therefore, Employers will be liable for the additional cost for the Supplemental Paid Sick Leave. This financial burden will be difficult for Employers who have been forced to close due to the Safer at Home declaration; or are otherwise negatively affected by COVID-19.
2. Offset is Not Sufficient. While Section 200.56 provides for an offset by other paid sick leave (presumably contemplating the FFCRA paid sick leave), this would not offset the burden to Employers. Regardless of whether Employers will be entitled to a tax credits under the FFCRA, the Employers will first need to front the money. Due to the forced closures and negative effects of COVID-19, Employers may not have sufficient business and tax credits to offset the Paid Sick Leave. Some businesses will not be able to reopen; or stay in business. The forced Supplemental Paid Sick Leave will add an additional financial burden on Employers in the City of Los Angeles since no tax offset is specified; and the FFCRA tax credit may not be realized.

3. Retroactive. Section 200.53 specifies that Employees who have been employed from February 3, 2020 through March 4, 2020 would be entitled to the Supplemental Paid Sick Leave. This retroactive entitlement would be unfair to Employers who closed and/or made layoffs prior to the enactment of the Article. Said Employers did not have the benefit of considering the effect of the Article at the time the Employer made the decision to close and/or lay off its employees. Businesses which shut down subsequent to February 3, 2020 would be unfairly burdened. It would be an unfair burden on Employers to pay the Supplemental Paid Sick Leave to employee which it laid off prior to the enactment of this Article.

4. Increased Litigation. The proposed Article will lead to increased litigation. The Article may be trap to Employers who are not informed of the new law. There are an abundance of Plaintiffs' employee claims attorneys. These attorneys will likely use the Article to send demand letters seeking damages and attorneys' fees from Employers; and filing a flood of lawsuits. As described below, the unspecified damage award plus the attorney fee award rights will be a huge incentive for the Plaintiffs' attorneys who work on contingency fee basis. Questions of fact will inevitably arise as to who is entitled to the Supplemental Paid Sick Leave; whether proper notice was given; whether there was retaliation; and damage awards. With the ambiguities inherent in new law there will be a lot of uncertainty which will lead to claims against Employers who seek to comply with the new law. The cost of defending claims will be huge. Another uncertainty will be whether Employment Practices Liability Insurance (EPLI) will cover claims arising out of the new law. This may lead to uncertainty, increased insurance costs, and additional bad faith lawsuits.

5. Administration burden. Complying with the new law would will be an administrative burden for Employers who will be required to determine who is entitled to the Supplemental Paid Sick Leave; tracking the leave; and tracking the offsets.

6. Forced Rehire. Section 200.57(A)(1)) reinstatement rights is the most extreme burden on Employers; as the requirement restricts the Employers' right to manage its business; and is a restriction of the At-Will employment law. In addition, if an Employer already fills a position, then is required to reinstate a laid off employee (either due to a demand letter or litigation) the Employer will have logistical problems of double filling a position.

7. Back Pay and Supplemental Paid Sick Leave Damages. Section 200.57(A)(2) provides for awards of *"Back pay and Supplemental Paid Sick Leave unlawfully withheld."* Such remedy will be a question of fact and likely lead to protracted litigation.

8. Attorney's Fees awards. Section 200.57(B) provides for attorney fees. As discussed above, such attorney's fees award will incentivize Plaintiffs' attorneys who work on contingency fee basis to pursue claims based on the new law.

Rana Ghadban
Hollywood Chamber of Commerce
March 26, 2020
Page **3** of **3**

I recommend that the Hollywood Chamber of Commerce oppose the Article; as it will cause extreme undue burden and expense to businesses in the City of Los Angeles. Please contact me if you wish to discuss.

Very truly yours,

A handwritten signature in black ink, appearing to read "Derek S. Yee", with a stylized, flowing script.

Derek S. Yee

Communication from Public

Name: AJ Sacher

Date Submitted: 03/27/2020 10:54 AM

Council File No: 20-0147-S39

Comments for Public Posting: Regarding Article 5-72HH , Supplemental Paid Sick Leave
Speaking as a restaurant operator of two restaurants in the City of Los Angeles. The current state of affairs is that we are shut down, have no revenue indefinitely, have paid all our employees all work hours due, and are essentially broke. Our only hope is that we can eventually borrow enough to reopen, pay our overdue rent and bills, and re-hire our entire staff. We have direct and personal relationships with all of our staff and care greatly for their well being. But we have no money left at this point. This ordinance would gravely impact our ability to ever reopen. The best aid we can get from the City is to help us reopen and rehire our staff, this ordinance would do the opposite. If this is passed, the restaurant businesses in the city would not financially be able to comply en masse, opening the door to massive punitive litigation that would imperil the very businesses that will be essential to putting staff back to work. The hospitality sector will be one of the engines of an economic recovery. Please do not harm those efforts by enacting this ordinance. The City could use its resources to help hospitality workers and the businesses in a positive manner through city loans and guarantees, and should be doing so. This ordinance will cause much greater harm to the businesses and the workers it seeks to help.

Communication from Public

Name: Edita Mattis

Date Submitted: 03/27/2020 10:35 AM

Council File No: 20-0147-S39

Comments for Public Posting: Honorable Council Members: My name is Edita Mattis and I own the Red Lion Tavern, a restaurant/bar. On behalf of myself and my employees, we urge you to consider the needs of restaurants and the hospitality industry. Many of us are small businesses who will be irrevocably harmed during this unstable time. In the past few days, every restaurant and bar in the City has been forced to close or pivot to accommodate delivery-only and takeout. For many restaurants, it is unfeasible to make this adjustment. While we understand that this is for the good of our community, it has had a detrimental effect on our business and our employees. Our employees are family to us. Since the mandated shut-down, we have done everything possible to take care of them for as long as this may last and work to make sure they have a job to come back to when we are able to re-open. However, I worry that some of the proposed ordinances will end up hurting our employees more than they would help them. We ask that you **STRONGLY OPPOSE** Item 20-0147-S39. This will bankrupt my and every other restaurant, bar and retail store in Los Angeles. We will never be able to reopen if we are forced to pay a 2 week severance to every single employee because we were shut down by the City of Los Angeles! This is one of the most destructive pieces of legislation I have ever seen. We ask that you please oppose Motions 20-0147-S15 and 20-0147-S42. Both motions will make it harder to bring our employees back as soon as possible. Although these rules may be applicable to other businesses, independent restaurants like mine would struggle and be unable to reopen if this ordinance took effect. At this week's City Council meeting, please understand how your vote will affect both the restaurant employees and small business owners. My number one priority is to support and provide for every one of my employees but I also want to ensure that they will have a job to come back to once the COVID-19 crisis passes. Thank you

Communication from Public

Name:

Date Submitted: 03/27/2020 10:41 AM

Council File No: 20-0147-S39

Comments for Public Posting: Businesses that are closed should be excluded from this responsibility. The business has no income and is already burdened by other expenses. With a time frame that is uncertain adding an additional burden on businesses that are closed will be devastating to them.

Communication from Public

Name: Hodan

Date Submitted: 03/27/2020 01:50 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Hodan and I strongly support the entire Healthy LA platform. All people currently working must be able to stay at home when they are sick. Los Angeles workers need 80 additional hours of emergency paid sick leave. To stop the spread of Covid-19, workers must be able to take two weeks off to quarantine -- even if they already used the 48 hours provided by LA's current paid sick leave policy. Restaurants and other businesses are lobbying hard for exemptions to LA's emergency paid sick leave ordinance for small businesses. But no matter the size, any business can spread the novel Coronavirus. 79% of restaurants in LA county have less than 25 employees. These restaurants account for 39% of total restaurant employment. Carve-outs and exemptions will exempt nearly 40% of restaurant workers from paid sick leave, which will mean the virus will continue to spread. I urge you to pass the emergency paid sick leave ordinance with no carve-outs or exemptions. Thank you.

Communication from Public

Name: Zach Pollack

Date Submitted: 03/27/2020 01:50 PM

Council File No: 20-0147-S39

Comments for Public Posting: Dear Members of LA City Council, I have worked in the restaurant industry in Los Angeles for the last 15 years, working my way from prep cook to chef, and I now own two restaurants in District 13. I will be the first to admit that our employees and their hard work are what keeps us in business, and I have nothing but love and respect for every one of them. Between my two restaurants, we run an average profit margin of about 5%, meaning 95 cents of every dollar goes out as quickly as it comes in. I wish my case were unusual, but the fact is that most restaurants are in the same boat, or worse. Since we were forced to close our doors by Mayoral order nearly two weeks ago, we have been hemorrhaging cash. We have kept one of the restaurants open with the goal not to break even--much less to make money--but merely to not lose more money than if we shut down completely, and at least in providing takeout and delivery, continue to keep a handful of our employees on payroll. I can say with total certainty that if 20-0147-S39 passes, it will force the permanent closure of 75%-90% of restaurants and eliminate tens of thousands of jobs. I understand the need to get our medium and low wage workers through this crisis and I support everything you and the Major have done with regard to rents, and everything the Congress is doing to get cash in their pockets. But forcing restaurants to pay out 10 days of sick pay to all our employees will not only destroy an entire industry in this great city, it will destroy a part of our city's character. In running my business, I often draw the distinction between 'today dollars' and 'tomorrow dollars'. If a guest doesn't like an aspect of their experience dining in my restaurant, I will consider buying them something--a beverage or a plate of food, for instance. It may cost me today, but increases the likelihood of that person coming back in the future. Motion 20-0147-S39 will cripple, if not obliterate, my industry, and in so doing will cost our restaurant workers hundreds of millions of 'tomorrow dollars' in return for a relatively much smaller amount of 'today dollars'. I know people have bills to pay for which they need money right now, but that money MUST come from other means or it will be to the detriment not only of restaurant owners, but indeed of the massive community of restaurant workers themselves. Thank you, Zach Pollack

Communication from Public

Name: Amanda Munoz

Date Submitted: 03/27/2020 01:50 PM

Council File No: 20-0147-S39

Comments for Public Posting: This is a call to our City Council to take into consideration the tenants who are the life line of Los Angeles. I am calling for moratorium on evictions, rent forgiveness and mortgage suspension, and an immediate freeze on all residential and commercial rent and utility bill increases. This pandemic is affecting all of Los Angeles, and it is up to those of you to protect us during this time. Due to COVID-19, many of us have lost our only sources of income and it is disgusting that you expect us to continue payments as if there is not a pandemic happening. Those who have lost their jobs deserve increased protections and supplemental sick leave in order to help keep the rest of the community safe. Without these things in place, I don't understand how else we will be able to survive.

Communication from Public

Name: Ben Adams

Date Submitted: 03/27/2020 01:54 PM

Council File No: 20-0147-S39

Comments for Public Posting: As we all try and navigate this most uncertain time, I implore you to think of all groups on the community. Small businesses have had to learn how to operate on smaller and smaller profit margins, with most business just paying the bills and payroll. We are apartment renters too. We have lost our jobs too. But will still have to cover ever increasing rents on our spaces. Large utility bills, pay for wasted and siting inventories, etc.. bills that keep piling up. We were the first to be forced to close, while Barbershops, tattoo parlors, smoke shops , etc.. remained open. Our reserve cash on hand is ever dwindling. Such a large expenditure at this time, with be an unfair burden that will cause a far more detrimental effect, with the permeant closure of many bars and restaurants. This is a horrible time for all people, and forcing one group to manage the burden is not the correct path. Thank you

Communication from Public

Name: Veronica Sanchez

Date Submitted: 03/27/2020 01:38 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is Veronica Sanchez I am a McDonald's owner/operator in Downtown Los Angeles, I own and operate three McDonald's locations in the City of Los Angeles. My father Frank Sanchez started our family business 37 years ago. Like many small businesses in the City of Los Angeles, we are struggling to survive these unprecedented times while, at the same time, providing the essential service of feeding our communities. Although we have designated an essential business and our doors remain open, our dine-in areas are closed and sales have been drastically impacted. I want to express my strong concerns about the proposed ordinance mandating that employers provide 80 hours of paid sick leave without any subsidy or assistance. As you know, this is already an incredibly difficult time for small and medium-sized businesses that are desperately trying to keep their doors open. It is a certainty that many businesses will not survive this crisis. Many will disappear along with the jobs they create. Now is not the time for additional regulations that will only exacerbate the job loss that will plague our City for a long time to come. We ask that you partner with the business community to create a policy that protects workers and businesses and, most importantly, saves jobs. Please continue the item and work with us on ways to mitigate the impact of any such policies.

Communication from Public

Name: Jessica D'Ambra

Date Submitted: 03/27/2020 01:43 PM

Council File No: 20-0147-S39

Comments for Public Posting: Hello, my name is Jessica D'Ambra and I am a McDonalds owner in Los Angeles with my brother and father. I am writing to express my strong concerns over the mandate that employers provide 80 hours of paid sick leave without any subsidy or assistance. As you know, this is already an incredibly difficult time for small and medium-sized businesses that are desperately trying to keep their doors open. It is a certainty that many businesses will not survive this crisis. Many will disappear along with the jobs they create. Now is not the time for additional regulations that will only exacerbate the job loss that will plague LA for a long time to come. We ask that you partner with the business community to create a policy that protects workers and businesses and, most importantly, saves jobs.

Communication from Public

Name: Kerri Harper-Howie

Date Submitted: 03/27/2020 01:39 PM

Council File No: 20-0147-S39

Comments for Public Posting: I would like to share concerns I have about the impact additional paid sick leave hours will have on my small business. As a restaurant, we are privileged to be able to continue to feed our communities and employ our employees. But, as you can imagine, we are doing so under the pressures of devastating losses in sales and guest visits. Our ability to keep doing what we are doing hangs in the bounds daily. We are happy to strictly comply with the laws and regulations imposed on small businesses by the Federal Families First Coronavirus Response Act. We are happy to do so as this new law will allow our employees to stay safe and care for their families. I would ask that you delay voting into law anything that would impose extra burdens on small businesses before we are able to assess how adequately the federal law addresses the concerns you are trying to address. There is a real possibility that what the federal law prescribes will meet and/or exceed employee needs. Lastly, if any law is enacted, I would ask that to the extent it duplicates what the federal law already provides, that the new LA City law would provide a specific exemption to small businesses covered by the new federal law. Thank you for reading this and for your consideration

Communication from Public

Name: Nurit Grunfeld

Date Submitted: 03/27/2020 01:33 PM

Council File No: 20-0147-S39

Comments for Public Posting: We are a small business. We employ 48 people and are concerned about Articles 5-72HH, 4-72J-A, 4-72J-B for the following reasons: 1. Restriction on At - will laws and forcing us to rehire employees who may not be best suited after restructuring of business 2. Exposure to increased litigation by unscrupulous attorneys working on a contingency fee basis 3. Inability to restructure due to 10 day waiting period 4. Inability to front costs for sick leave 5. Inability to use tax credits to cover sick leave since business has been severely impacted and isn't generating revenue. We are a relatively new business and have yet to break even, we are in the red even though we have a steady flow of business. One reason is that instead of being able to grow our business, we have been dealing with frivolous lawsuits and this was before COVID - 19. The new financial and administrative burdens, the retroactive nature of the articles, the lack of exemptions for small struggling businesses, the possibility of increased insurance costs as a result, the added exposure to litigation could potentially ruin us and force us to close our businesses thereby adding to the pool of unemployed workers.

Communication from Public

Name: Lincoln Carson

Date Submitted: 03/27/2020 01:35 PM

Council File No: 20-0147-S39

Comments for Public Posting: I am chef and partner in an independently owned restaurant (Bon Temps) in DTLA. we have not been able to generate any cash flow since being forced to close two weeks ago and if this Ordinance passes requiring the immediate payment of two weeks of sick pay, it is highly unlikely that we will be able to come back and reopen. As it stands I am projecting massive losses with my fixed costs still being paid and no income. If we close our doors permanently you will be responsible for putting 40 people out of work and health care (which we are still paying 100% of through end of May)

Communication from Public

Name: Alejandra Ponce de Leon

Date Submitted: 03/27/2020 01:30 PM

Council File No: 20-0147-S39

Comments for Public Posting: Yes, it is absolutely crucial for workers to have paid sick leave. This is true regardless of the pandemic, but now especially, as it jeopardizes the health of our entire community. That said, my family owns several small businesses. Thankfully, we have not yet seen workers fall ill. But!! Our businesses are labeled "essential," and we are doing our best to stay open and keep everyone financially and physically healthy. The ability to pay each worker additional sick leave is not financially tenable for many of us small businesses at this time. At a time when you need us most, you are putting the bill in our laps. Our public health is a public responsibility. The City of Los Angeles needs to step in and provide the financial support to make this possible. Where our federal government is failing us, you have the opportunity to set the precedent. Please support your community of business owners and help us make paid sick leave a reality by paying the bill as the City, not the individual.

Communication from Public

Name: Tony Lardas

Date Submitted: 03/27/2020 02:24 PM

Council File No: 20-0147-S39

Comments for Public Posting: Hello Council Members: My family is a small restaurant operator with two locations within the City of Los Angeles. This ordinance would be a complete redundancy of what the Federal Government has already passed, and in which they provide economic relief to comply with the regulation, which the city of Los Angeles would not. The situation we are now in is very sad, devastating for employees, businesses and of course people who have become ill. But adding more regulations onto businesses who are suffering right now does not make sense. We are real people facing real issues just like everyone else and need real money to comply with such an ordinance with no or very little revenue coming in. The City announced an economic relief package for small businesses but let me put that in perspective it is a loan that will have to be paid back making a recovery and survival for restaurants more difficult the maximum loan amount is \$20,000 just my payroll for one week at one of my restaurants is \$15,000 double that for two restaurants is \$30,000 how would you expect us to pay all employees if they make claims with virtually no revenue coming in? As business owners, we currently pay into unemployment insurance programs federal FUTA and state SUI now in these difficult times you are asking us to secure additional funds from somewhere. Employers have already paid into this unemployment insurance fund for situations such as these? So I ask you council persons why do we pay into these insurance pools if now you are asking us to cover these costs? Thank you for your consideration in not moving forward with this poorly thought out ordinance any further.

Communication from Public

Name:

Date Submitted: 03/27/2020 03:43 PM

Council File No: 20-0147-S39

Comments for Public Posting: Businesses must provide 80 hours of sick leave to employees during the COVID-19 pandemic, these are rights and not privileges. Workers are entitled to protection.

Communication from Public

Name: Emily Baird

Date Submitted: 03/27/2020 03:24 PM

Council File No: 20-0147-S39

Comments for Public Posting: Item number 4 requiring all small businesses to give 2 weeks of paid sick leave to all employees will bankrupt our family's business. We want to hire everyone back as soon as possible but if we are bankrupt we can hire NO ONE!

Communication from Public

Name: Tom Chesney

Date Submitted: 03/27/2020 03:09 PM

Council File No: 20-0147-S39

Comments for Public Posting: I have a very small business (6 employees not counting me) and the requirements for the sick pay will cause me to close down as I do not have the cash resources to handle this requirement. All small businesses (at least with those less than 50 employees) should be exempted from this requirement. The fact is many times I take no money from the business due to insufficient cash flow. While I want to help my employees, as do other owners, we will be negatively impacted and many will cease which will cause unemployed workers less opportunities to find work. Please do not force this very heavy burden on us. This will be a very negative impact on Los Angeles.

Communication from Public

Name: Phillip Montgomery
Date Submitted: 03/27/2020 03:05 PM
Council File No: 20-0147-S39
Comments for Public Posting: #4 WILL MAKE ALL THE JOBS GO AWAY
PERMANENTLY NOT JUST TEMPORARILY.

Communication from Public

Name: Agustin Cabrera
Date Submitted: 03/27/2020 02:01 PM
Council File No: 20-0147-S39

Comments for Public Posting: I am a resident of CD14 and I am writing to strongly urge the council to guarantee paid sick leave for all workers. The council must respond with action to ensure that workers be able to stay home when they are sick. Workers need 80 hours of paid sick leave with no carve-outs and no exemptions for any industry! As restaurants and other businesses lobby hard for exemptions to LA's emergency paid sick leave ordinance, I urge you think of 40% of restaurant workers who would be exempt from paid sick leave. These workers are the social fabric of our city and the council must do everything in your power to ensure their safety and well being. No matter the size, any business can spread #COVID19. Please protect the workers of Los Angeles.

Communication from Public

Name: Edita Mattis

Date Submitted: 03/27/2020 02:08 PM

Council File No: 20-0147-S39

Comments for Public Posting: We ask that you STRONGLY OPPOSE Item 20-0147-S39. This will likely bankrupt my and every other restaurant, bar and retail store in Los Angeles. We may never be able to reopen if we are forced to pay a 2 week severance to every single employee because we were shut down by the City of Los Angeles! This is one of the most destructive pieces of legislation I have ever seen. It is not clear to me where this idea originated as the problem here lays with the Federal Government, not with the local business in mismanagement of the situation.

Communication from Public

Name: Natalie Hatcher

Date Submitted: 03/27/2020 02:36 PM

Council File No: 20-0147-S39

Comments for Public Posting: "All of Los Angeles is impacted by COVID19 but Black Americans are particularly vulnerable. Our community has suffered from historic and systemic lack of inclusive economic investment. Indeed, Black Los Angeles is still 'recovering' from the 2008 financial crisis and Great Recession. During that crisis, Black Americans saw what little wealth we had decline by 50%. Now according to economic experts, the U.S. economy is in yet another recession due to COVID19. This means Los Angeles' Black American population is dangerously close to yet another economic collapse. To prevent this, Los Angeles' Black American population MUST be prioritized and specifically targeted for health and economic relief as soon as possible. If this does not occur, we will again suffer irreparable harm from this pandemic. On behalf of our community, Black Angelenos who are the descendants of persons enslaved in the U.S.: [1] Immediately increase COVID-19 Testing Centers in areas heavily populated by Black Angelenos, [2] Immediately modify eligibility criteria for business economic relief for Black Angelenos descended from persons enslaved in the U.S., including but not limited to: [3] Expand eligibility to relief to businesses based in Los Angeles but who do NOT own a physical establishment, [4] Expand eligibility for relief to businesses of all types, including home-based businesses, [5] Waive the requirement that eligible businesses have written sick leave policies, [6] Waive the requirement that businesses be in 'good standing' or current on bills, [7] Issue business grants NOT loans, targeting LA's small/micro-businesses, [8] Issue business grants NOT loans, targeting LA's small/micro-businesses, [9] Increase funds earmarked for business relief to at least \$500,000 of the total \$1 million for micro-businesses with 5 employees or less, as opposed to the \$250,000 earmark, [10] Immediately implement emergency outreach, shelter, testing and treatment targeting un-housed, unsheltered Black Angelenos descended from persons enslaved in the U.S., [11] Direct monthly financial assistance to Black Americans in Los Angeles each month for at least the next 6 months. Additional supportive measures may be needed. But without targeted action to support Black Americans in Los Angeles such as the above, Black Los Angeles may NEVER fully recover. Time is of the essence."



FOR IMMEDIATE RELEASE

Contact: KJ Clark

Phone: 323.305.4552

Email: kj@adosla.org

COVID-19 EMERGENCY RESPONSE & RECOVERY

The City of Los Angeles is taking bold action to address the health and economic fallout from COVID-19 and we applaud these actions. However, hundreds of Los Angeles businesses owned and operated by Black Americans who are descendants of persons enslaved in the U.S (ADOS) are at an extremely high risk of imminent closure despite these efforts. Thousands of Black American Angelenos face job and income loss, as well as food, gas, and childcare shortages. According to the report COLOR OF WEALTH IN LOS ANGELES, prior to COVID19, [The Average Black American in Los Angeles who descends from American slavery has only \\$200.00 liquid assets available.](#)

All of Los Angeles is impacted by COVID19 but Black Americans are particularly vulnerable. Our community has suffered from historic and systemic lack of inclusive economic investment. Indeed, Black Los Angeles is still 'recovering' from the 2008 financial crisis and Great Recession. During that crisis, Black Americans saw what little wealth we had decline by 50%. Now, according to economic experts, the U.S. economy is in yet another recession due to COVID19. This means Los Angeles's Black American population is dangerously close to yet another economic collapse. **To prevent this, Los Angeles's Black American population must be prioritized and specifically targeted for health and economic relief as soon as possible.** If this does not occur, we will again suffer irreparable harm from this pandemic.

On behalf of our community, we urge the following City government actions specifically targeted to Black Angelenos who are the descendants of persons enslaved in the U.S:

- Immediately increase Covid-19 Testing Centers in areas heavily populated by Black Angelenos
- Immediately modify eligibility criteria for business economic relief for Black Angelenos descended from persons enslaved in the U.S, including but not limited to:
- Expand eligibility for relief to businesses based in Los Angeles but who do not own a physical establishment.
- Expand eligibility for relief to businesses of all types, including home-based businesses.
- Waive the requirement that eligible businesses have written sick leave policies.
- Waive the requirement that businesses be in 'good standing' or current on bills.
- Issue business grants not loans, targeting LA's small/micro-businesses.
- Increase funds earmarked for business relief to at least \$500,000 of the total \$1 million for micro-businesses with 5 employees or less, as opposed to the current \$250,000 earmark.
- Immediately implement emergency outreach, shelter, testing and treatment targeting un-housed, unsheltered Black Angelenos descended from persons enslaved in the U.S.
- Direct monthly financial assistance to Black Americans in Los Angeles each month for at least the next 6 months.

Additional supportive measures may be needed. But without targeted action to support Black Americans in Los Angeles such as those above, Black Los Angeles may never fully recover. Time is of the essence.

Communication from Public

Name:

Date Submitted: 03/27/2020 02:39 PM

Council File No: 20-0147-S39

Comments for Public Posting: Small business and other bigger business are going to be able to take loans and get help from the federal government. A lot of these business owners are also home owners. They will also be able to apply and qualify for mortgage loans as well as business loans Think of the workers!! The workers who are also renters! We are the most vulnerable The menial workers are the true backbone of all business. The fifty and under businesses are the businesses that truly make LA thrive!

Communication from Public

Name: Ray Garcia

Date Submitted: 03/27/2020 02:32 PM

Council File No: 20-0147-S39

Comments for Public Posting: I am a restaurant owner. Like may others I am deeply concerned about the health and financial well being of my employees and want nothing more than for all of them to return to work healthy and happy. However, this ordinance would be ruinous to my business and lead to bankruptcy. My business and others like mine will be unable to reopen after this crisis.

Communication from Public

Name: Katherine Waters-Smith

Date Submitted: 03/27/2020 04:17 PM

Council File No: 20-0147-S39

Comments for Public Posting: I urge the City Council to support paid sick days for all Angelenos. No one should have to go to work while they are sick, especially during a pandemic. Without paid sick days many workers will be forced to continue going to work, which risks their health and the health of those they come into contact with. Please vote to support at least 14 paid sick days for all workers in Los Angeles, without exemptions.

Communication from Public

Name: Brittney Valles

Date Submitted: 03/27/2020 04:11 PM

Council File No: 20-0147-S39

Comments for Public Posting: My name is brittney valles and I own Guerrilla Tacos, a restaurant located in CD14. We have proudly represented LA by partnering with Discover LA and doing pop-ups around the world trying to encourage tourism to this great city. It is so insanely disappointing that the council is considering bills that are completely tone def to the needs of the hospitality industry. Motion 20-0147-S39 will kill our businesses. Yes, some may get a few weeks of relief, however they may not have a job to go back to when this is all over. We need someone advocating for what it is that we really need.

Communication from Public

Name:

Date Submitted: 03/27/2020 05:58 PM

Council File No: 20-0147-S39

Comments for Public Posting: Requiring small businesses to pay every worker 2 weeks of supplemental sick leave will put cash strapped businesses under yet ANOTHER financial burden. It's TOO much. Think of this, how can they pay the supplemental leave when SBA loans and even the applications are taking time to turn around. The potential for businesses needing fork out money while workers who can't get into the hospitals (because they are told to not get tested because they have been exposed but aren't showing symptoms) is WAY too high. From what I see it doesn't require a worker to use existing sick time first and doesn't have some kind of revenue level requirement so it will hurt small businesses.